

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, February 4, 2003
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Graves, City Clerk; present.

Mark Brown, Native American, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes --
-- carried

The Minutes of the regular meeting of January 14, 2003, and the executive session of January 28, 2003, were approved 7 to 0.

AWARDS AND PRESENTATIONS

WICHITA'S PROMISE Wichita's Promise – Youth Service Awards were given.

RECOGNITION The Transportation Safety Administration recognized Wichita's Airport.

OFF AGENDA ITEM RESOLUTION COMMEMORATING FATE OF SPACE SHUTTLE MISSION

Motion -- Knight moved that the rules be set aside and a Resolution be taken up off the Agenda. Motion carried
-- carried 7 to 0.

Motion -- carried Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION
of
The City of Wichita, Kansas
Founded in 1870

Be it resolved that the Council of the City of Wichita, Kansas commemorates with deep sorrow and regret the fate of the Columbia space shuttle mission.

Whereas, On Saturday, February 1, 2003, a national tragedy occurred that has caused the entire world to mourn. This tragedy has not only caused us to look at the lives of these great explorers who risked their lives on this last Columbia mission, but all of the space pioneers before them.

Whereas, Each Columbia crew member was a pioneer. In addition to honoring these space pioneers' service through our comments and review of their lives, we can also honor them through comforting their families and reaffirming our commitment to the space program.

Now, Therefore, Be It Resolved, that we join all Americans, and indeed all citizens of the world, in expressing our deepest sympathy for the events that have occurred and extend our deepest sympathy to the families of the crew members.

Adopted this February 4, 2003.

Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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PUBLIC AGENDA

Jeff Farney

Jeff Farney, South Topeka Independent Living Resource Center – Access for Disabled.

Jeff Farney spoke regarding two issues of concern:

- 1) The St. Francis and First Street intersection. Mr. Farney said the intersection is accident prone. There are new overhead street signs being installed which should help the situation. The Independent Living Center, homeless shelter, Big Brothers/Big Sisters establishments are all within one-half block of the intersection.
- 2) Inclusion of disabled representation in City project development. The concern is that projects are completed without due consideration for the disabled population. If someone from the disabled community were involved from conception, situations could be remedied before construction/development.

Mayor Knight

Mayor Knight assured Mr. Farney that work at the First Street and St. Francis intersection is being expedited; and, Mayor Knight invited Mr. Farney to contact the City Manager whenever there are issues of concern.

King David Davis

King David Davis – A Time to Stand.

King David Davis spoke regarding honorable justice.

UNFINISHED BUSINESS

RIVERSIDE PARK

APPROVAL OF IMPROVEMENTS TO RIVERSIDE PARK. (District VI)
(Continued from January 14, 2003)

Agenda Report No. 03-0092A.

Steve Lackey

Director of Public Works reviewed the Item.

On January 14, 2003, the City Council deferred a portion of this Item. The Council approved major modifications to the Riverside Park System in the CIP. After being reviewed and discussed at neighborhood planning meetings and incorporating considerable citizen input, the final plan was approved by Council on October 1, 2002, and staff was authorized to solicit construction bids. Bids were received by the City on January 10, 2003. The amount of the bids was such that awarding contracts to complete the project within the limits of the project budget will not be possible. An Amending Resolution has been prepared to increase the budget.

The project consists of work to be awarded under two separate contracts. The first contract is for work related to street removal, modification and new construction, primarily to Nims, Stackman and Murdock. Cornejo & Sons Inc. was the low bidder for that work and their bid of \$1,005,720.73 was accepted by the Council on January 14, 2003. The second contract is for improvements and modifications to improve the Public's recreational/cultural experience in Central Riverside Park, an area surrounding Park Villa, and in Oak Park. It is that portion which has been deferred.

The original budget totaled \$5,000,000 for design and construction, and was funded in the CIP by General Obligation Bonds. Based on the bids received, the budget needs to be increased to \$5,450,000. Bid Alternates would not be accepted which are related to construction of the Events Center and surrounding area west of Nims, and this cost would also exclude some work around Park Villa. Funds for the budget increase are available from savings in other projects in the Capital Improvement Program. (Riverside Park: Project No. P-390010, OCA No. 785016)

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Motion --
-- carried

Fearey moved that the project budget be increased by \$450,000, with money being taken from the Two-way Main Street conversion project; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 03-066

A Resolution increasing the project budget by \$450,000, presented. Fearey moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

NEW BUSINESS

IRB - ENVISION

PUBLIC HEARING AND ISSUANCE OF INDUSTRIAL REVENUE REFUNDING BONDS – ENVISION, INC. (District III)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 03-0095.

On January 7, 2003, the City Council approved a two-year Letter of Intent to issue Industrial Revenue Refunding Bonds in the amount of \$5,300,000 to Envision, Inc. The bonds will be used to refinance currently existing debt and pay costs of issuance. The refinancing of the IRB's will result in a significant reduction in annual debt service payments and will shorten the term of indebtedness by one year. The company is now requesting City Council to issue Industrial Revenue Refunding Bonds in the amount of \$3,035,000.

Envision, Inc. (Envision) is a not-for-profit firm with the special mission of providing jobs for people with blindness and other disabilities. Envision also provides job training, job placement and rehabilitation services. Envision was organized in 1931. Its staff includes specialists in the field of blindness who teach the blind basic life skills such as public transportation, use of assertive technology, and personal/social skills. Envision employs and provides service for persons who are blind, have low vision, blind and developmentally disabled or deaf/blind.

The Wichita facility serves as corporate headquarters and manufactures a variety of products including: paper towels, seal-closure plastic bags, t-shirt plastic bags, specialty bags, plastic sheeting, high visibility belts, gun slings, and gun sling adapter kits (for U.S. Department of Defense). These products are manufactured by individuals who are blind or developmentally disabled and may otherwise not be mainstreamed into the Wichita community. Envision also has facilities in Pittsburg, KS and Kansas City.

An analysis of the estimated sources and uses of project funds is:

SOURCES OF FUNDS

Bond Reserve Account	\$ 350,000
Refunding Bond Issue	<u>3,035,000</u>
Total Sources	\$3,385,000

USES OF FUNDS

Retirement of Existing 1999 Bond Issue	\$3,185,000
Underwriter's Fee	42,490
Costs of Issuance	31,790
Bond Reserve Account	<u>125,720</u>
Total Cost of Project:	\$3,385,000

Gold Capital Management, Inc. will underwrite the bond issue. The firm of Hinkle Elkouri Law Firm, L.L.C. will serve as bond counsel in the transaction.

Envision has a current approved EEO/AA Plan on file with the City's Purchasing Department.

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Envision agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative service fee for the term of the bonds. Envision is not requesting a tax exemption in connection with issuance of IRBs.

Bond documents needed for the issuance of the bonds will be prepared by bond counsel. The City's Law Department will review and approve all final bond documents prior to the issuance of the bonds.

In addition to authorizing the issuance of the Series 2003 Industrial Revenue Refunding Bonds, the bond ordinance also authorizes the payment and redemption of Series III, 1999 Bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Lambke moved that the public hearing be closed, first reading of the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Industrial Revenue Refunding Bonds in the approximate of \$3,035,000, and payment and redemption of Series III, 1999 outstanding bonds be placed on first reading, and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance authorizing the City of Wichita, Kansas to issue its Industrial Revenue Refunding Bonds, Series I, 2003 (Envision, Inc.) in the aggregate principal amount of \$3,035,000 for the purpose of providing funds to refund on a current basis certain Industrial Revenue Bonds, Series III, 1999 of the City and to pay certain costs of issuance; prescribing the form and authorizing execution of a Second Supplemental Trust Indenture between the City and Intrust Bank, N.A, Wichita, Kansas, as Trustee; prescribing the form and authorizing execution of a Second Supplemental Lease Agreement by and between the City and Envision, Inc.; approving the form of a Guaranty Agreement between Envision, Inc., as Guarantor, and Intrust Bank, N.A., Wichita, Kansas, as Trustee; prescribing the form and authorizing the execution of a Bond Purchase Agreement between the City, Envision, Inc., and Gold Capital Management, Inc., as purchaser of the Series I, 2003 Bonds, introduced and under the rules laid over.

TYPED LETTERS

PUBLIC HEARING AND ISSUANCE OF INDUSTRIAL REVENUE REFUNDING AND IMPROVEMENT BONDS – TYPED LETTERS CORPORATION. (District V)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 03-0096.

On December 17, 2002, City Council approved a six-month Letter of Intent to issue Industrial Revenue Refunding and Improvement Bonds in the amount not-to-exceed \$1,650,000 to Typed Letters Corporation. The bonds will be used to construct a new addition to Typed Letter's existing facility and to refinance currently existing debt and pay costs of issuance. The company is now requesting City Council to issue Industrial Revenue Refunding and Improvements Bonds in the amount not-to-exceed \$1,630,500.

Typed Letters Corporation is a full-service, direct mail manufacturer that has developed a highly specialized niche with the direct mail marketing industry. According to its marketing materials, Typed Letters is one of the largest companies in the United States manufacturing typewritten mail packages for clients involved in marketing products and services or raising funds. Through the use of state-of-the-art technology, Typed Letters manufactures direct mail marketing pieces from computer delivered data, including artwork, inserts and envelope sizes and forms. The size of each mailing varies from several hundred to hundreds of thousands of letters per direct mail campaign.

The company serves a broad base of clients across the United States. The company is utilizing direct mail, telemarketing and individualized service to reach, attract and retain new business. However, the majority of its business comes from New York City, Boston, San Francisco and Seattle. Typed Letters exports 100% of its business outside of the State of Kansas.

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Uses of Funds	
Payment of Refunded Bonds	\$ 950,000
Construction Costs	550,000
Bond Reserve	10,000
Capitalize Interest	31,732
Costs of Issuance	<u>88,768</u>
Total cost of Project	\$1,630,500

The firm Hinkle Elkouri L.L.C. is serving as bond counsel in the transaction. Chapman Securities, Inc. has agreed to underwrite the bonds and will reoffer the bonds to the public. Typed Letters has complied with the City's Letter of Intent Conditions.

Typed Letters agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative service fee for the term of the bonds. Typed Letters is not requesting a tax exemption in connection with issuance of IRBs.

The public hearing held in conjunction with this item satisfies the TEFRA hearing requirement in the federal tax code for tax-exempt bonds.

In addition to authorizing the issuance of the Series 2003 Industrial Revenue Refunding and Improvements Bonds, the bond ordinance also authorizes the payment and redemption of Series X-A, 1997 Bonds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Martz moved that the public hearing be closed; the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Industrial Revenue Refunding and Improvements Bonds in an amount of \$1,630,500, and the payment and redemption of Series X-A, 1997 outstanding bonds be placed on first reading, and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$1,540,000 aggregate principal amount of Industrial Revenue Refunding and Improvement Bonds, Series II, 2003 (Typed Letters Corporation Project) for the purpose of providing funds to (1) refund on a current basis certain Industrial Revenue Refunding Bonds, Series VII-A, 1997 (Typed Letters Corporation) of the City and (2) acquire, construct and equip an addition to an existing manufacturing facility; prescribing the form and authorizing execution of a Trust Indenture by and between the City and Central Bank and Trust Company, Hutchinson, Kansas, as Trustee; prescribing the form and authorizing the execution of a lease of the project by and between the City and S&R Properties, LLC; approving the form of a Guaranty Agreement by and among S&R Properties, LLC, Typed Letters Corporation, Randal A. Johnson and Shirley A. Johnson, as Guarantors, and Central Bank and Trust Company, Hutchinson, Kansas as Trustee; approving the form of a sublease between S&R Properties, LLC and Typed Letters Corporation; authorizing the execution of a Bond Purchase Agreement between the City, S&R Properties, LLC, and Chapman Securities, Inc., Wichita, Kansas, as purchaser of the Series II, 2003 Bonds, introduced and under the rules laid over.

ENVIRONMENT

ENVIRONMENTAL PROTECTION RESOLUTION.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 03-0097.

The City of Wichita has a strong history of addressing environmental issues and providing leadership in environmental protection. Examples include initiatives such as the Gilbert-Mosley and North Industrial Corridor groundwater remediation projects, Arkansas River initiative, encouragement of Brownfields redevelopment, protection of drinking water resources from potential degradation from confined livestock feeding operations and other environmental activities. As a further demonstration of its

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environmental awareness, the City Council adopted a Strategic Environmental Resolution on February 1, 2000. As part of that resolution protection of our drinking water supplies, particularly the Equus beds, and protection of other water resources were identified as primary goals.

Subsequent to the City of Wichita's initiatives to protect the Equus beds and improve Arkansas River water quality the Governor's office issued an Executive Order to the Secretary of Health and Environment that identified actions for the Kansas Department of Health and Environment (KDHE) to implement regarding Equus beds protection. One of the principle initiatives that resulted from the Executive Order was the development of more stringent KDHE regulations regarding on-site wastewater lagoons. KDHE chose not to enact these regulations pending the promulgation of newly proposed federal regulations addressing on-site lagoons by the United States Environmental Protection Agency (EPA). The new EPA rules have now been issued and fail to provide the necessary protection for vulnerable ground water supplies. By this resolution, the Wichita City Council is encouraging Governor Sebelius, the Secretary of Health and Environment, other localities and interested parties in south-central Kansas to support more stringent environmental regulations regarding on-site wastewater lagoons and wastewater disposal systems.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Martz moved that the Resolution establishing City policy relative to water resources protection be adopted and transmitted to the Governor, the Secretary of KDHE and to the City's Legislative Delegation. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 03-041

A Resolution addressing the protection of the equus beds and environmental resources of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 03-0098.

On December 17, 2002, a report was submitted with respect to the dangerous and unsafe conditions on three (3) properties. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 9:30 a.m. or as soon thereafter, on February 4, 2003.

On November 4 and December 2, 2002, the Board of Code Standards and Appeals (BCSA) held a hearing on the following properties:

Property Address	Council District
a. 2128 South Santa Fe (Garage)	III
b. 2512 East Mossman	I
c. 1158 North Ash	I

Pursuant to State Statute the Resolutions were duly published twice on December 21 and December 28, 2002. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

2128 South Santa Fe (Garage)

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item and recommended a 30 day extension for demolition.

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Motion --

Knight moved that 30 days be given to complete the demolition; the public hearing be closed, complete removal of the structure; the resolution declaring the buildings dangerous and unsafe structures be adopted, and any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of February 4, 2003; (2) the structure(s) has/have been secured as February 4, 2003 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of February 4, 2003 and will be so maintained during renovation; if any of these conditions are not met, 10 days be given to commence and an additional 10 days to complete demolition. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 03-064

Resolution finding that the structure described as: Lots 14 by 20 feet in size, to Wichita, Sedgwick County, Kansas, commonly known as 2128 South Santa Fe (Garage), Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

2512 East Mossman

Motion --

Knight moved that the public hearing be closed, the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure be accepted; the resolutions declaring the buildings dangerous and unsafe structures be adopted, and any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of February 4, 2003; (2) the structure(s) has/have been secured as February 4, 2003 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of February 4, 2003 and will be so maintained during renovation. Motion carried 7 to 0.

-- carried

RESOLUTION NO. 03-065

Resolution finding that the structure described as: The west 26 ft. of the south one-half of Lot 7, and the east 26 ft. of the south one-half of Lot 8, on Frisco now Ninth Street, Mossman's, to Wichita, Sedgwick County, Kansas, commonly known as 2512 East Mossman, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

1158 North Ash

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item and said the heirs asked for additional time to allow probate completion, sale of the property, and to complete repairs. A 30-day extension is recommended.

Motion -- carried

Brewer moved that this Item be deferred 30-days. Motion carried 7 to 0.

(The following Item was taken up later in the meeting; action is shown in Agenda order.)

WATER/SEWER

WATER/SEWER BOND SALE.

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 03-0099.

The Water and Sewer utilities have undertaken major capital efforts, beyond the normal level of capital expenditures, for long-term (50 year) service extensions, most notably in the water supply plan and new sewer treatment facilities. Rate increases for the utilities are typically driven by capital costs, and the higher than normal capital effort was projected to occasion substantial annual rate increases.

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In December 2001, the City Council considered and approved a Water and Sewer debt financing plan to reduce projected utility rate increases. One element of the debt financing plan involved deferring some of the utility debt beyond the normal 20-year period to extend the amortization period when the customer base has increased and utility capital financing needs were more moderate. In November 2002, acted upon utility rates for 2003 and earlier projections of 5% (Water) and 8% (Sewer) rate increases were reduced to 3%.

On an interim basis, the City has issued General Obligation Temporary Notes to fund utility capital costs pending implementation of a new plan of finance. Temporary notes have been issued and renewed in the amount of \$50,000,000 and are due to mature and be retired with the revenue bonds on February 20, 2003. Additional capital costs have accumulated such that proceeding with long-term financing is in order.

The City Council previously approved retention of a Financial Advisor to work with City staff in structuring the bond issue. After review, it was recommended this bond sale use a negotiated approach because of the size of the issue as well as the potential for volatility in the bond market and the need for specialized structuring expertise to achieve optimal savings.

On January 14, 2003, the City Council designated George K. Baum/A.G. Edwards to serve as lead underwriter in a negotiated offering of Water & Sewer revenue bonds after a competitive underwriter selection process. Since that date, staff has worked to distribute the Preliminary Official Statement and negotiate the details of the sale with the designated lead underwriter.

Existing and projected utility capital costs total more than \$175 million. A portion of the utility capital program is funded from cash. The remainder will require a \$127 million bond issue. In keeping with the previously approved debt financing plan, the portion of the debt related to the long-term (50-year) capital efforts will have a longer term (25-years) than the typical 20-year utility debt. This plan allows a share of the capital costs to be assumed by future utility customers, and mitigates the rate impact on current utility customer, a form of "inter-generational equity". The bond issue will be structured as follows:

Water, 25-Year:	\$ 25,025,000
Water, 20-Year:	\$ 25,850,000
Sewer, 25-Year:	\$ 37,725,000
Sewer, 20-Year:	<u>\$ 38,675,000</u>
Total	\$127,275,000

The plan of financing for the negotiated issue includes the marketing of the 2003 Water & Sewer Revenue Bonds. The marketing of the bonds will to occur in Kansas City with underwriters taking orders for bonds from syndicate members and other brokerage houses with offices in Wichita.

The estimated principal amount for the bonds is based on an amount necessary to reimburse prior cash reserve expenditures, retire outstanding temporary notes and fund on-going expenditures for capital projects through mid-2004. The debt is structured in such a way that it allows for inter-generational equity by spreading a portion of the costs out to a slightly longer term (25 years) than the typical 20-year utility debt term. The Water/Sewer revenue bonds will be payable solely from the gross revenues of the City's combined Water and Sewer utility. The structure of the debt will be designed so that the timing of the debt service payments matches utility cash flows with coverage.

Bond Counsel has drafted the bond ordinance needed to execute the issuance of the revenue bonds and has also drawn up the bond purchase agreements for the sale of the bonds to the underwriters as well as the official statement.

Ray Trail

Director of Finance reviewed the negotiated bond sale results as follows: The final amount of sale was \$120,365,000 with a true interest cost of 4.5560993 percent. The Council is asked to approve the item, subject to verification of numbers.

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Motion --

-- carried

Knight moved that bonds be accepted as outlined above; the Bond Purchase Agreement and Declaration of Emergency be approved; the Bond Ordinance be adopted on first reading; and the necessary signatures be authorized; all subject to verification of numbers. Motion carried 7 to 0.

ORDINANCE NO. 45-547

An Ordinance of the City of Wichita, Kansas, authorizing and providing for constructing, reconstructing, altering, repairing, improving, extending or enlarging of the municipal water and sewer utility; authorizing and providing for the sale and issuance of \$120,365,000 aggregate principal amount of Water and Sewer Utility Revenue Bonds, Series 2003, for the purpose of paying the costs thereof; prescribing the form and details of the Series 2003 Bonds; providing for the collection, segregation and application of the revenues of the utility for the purposes authorized by law, and making certain covenants and agreements with respect thereto; and authorizing and providing for the execution and delivery of certain agreements and supporting documents. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight

CITY COUNCIL AGENDA

FURLEY SITE

REVIEW/DISCUSSION – FURLEY SITE USES. (Requested by Mayor Knight)

Background Information:

The Furley tracts were acquired in October, 1996 for landfill purposes. This site was selected after considerable study by consultants who felt this land was environmentally sound for siting of a landfill operation.

There were four different contracts involved. These parcels are located East of Greenwich Road and the County line, generally along 77th Street. A total of just over 1,415 acres exist under City of Wichita ownership. The cost for this property totaled \$4.121 million.

As the City was acquiring this property, the Sedgwick County Commission exercised its authority to assume control of solid waste (permitted under State Statutes) to avoid the City from relocating a new landfill with the closure of Brooks Landfill. Since its acquisition, this land has been leased for agriculture purposes and has been used by the Police Department's Mounted Horse Patrol headquarters.

Since its acquisition, this land has been reserved for landfill operations – pending a decision by the County government on allowing such disposal techniques in its Solid Waste Management Plan. A landfill at this location offers a very cost effective use of a part of the property, allowing the remainder to be utilized for other development.

Some of the potential uses - not excluding the use for a landfill operation - for this property include:

1. Industrial Park to provide a site for new and expanding industry.
2. Theme park location
3. Regional Park/open space, athletic fields
4. Housing development
5. Combination of above uses

With the reconstruction of Highway 254, transportation to and from this site has been significantly improved making it a growth area in the future. As development continues to grow into the northeast area, this site will be prime land for development, once utilities are available and there are improvements to the Streets, etc.

Staff is currently reviewing costs for bringing utilities and other services to this site for possible multi-use developments.

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Mayor Knight

Mayor Knight said there is a shortness in recruiting new industry in Wichita and Sedgwick County – the City needs land immediately available for economic development uses. The City owns land at the Furley and Kingsbury sites.

Mayor Knight asked the City Council to approve a comprehensive site analysis and evaluation of all existing land available. Some of the land has been dedicated for park purposes, so the Park Board would have to agree on certain sites.

This needs to be a quick analysis which is developed by pulling together some of the most talented economic development people available.

Wichita/Sedgwick County's economic endeavors would be helped if available land could be turned into a prized industrial setting with qualities developers seek. The process should be accelerated (possibly before the change of Mayor and Council Members).

Mayor Knight asked Staff to help expedite the request.

Motion --

Knight moved that the Vice Mayor and Mayor establish a committee to spent sufficient time to develop economic development recommendations regarding what to do with land the City holds. Motion carried 7 to 0.

-- carried

TRAVEL

APPROVAL OF TRAVEL EXPENSES FOR MAYOR TO ATTEND U. S. CONFERENCE OF MAYORS 2003 LEADERSHIP MEETING IN KEY WEST, FL, FEBRUARY 20-22, 2003.

This Item was withdrawn.

SOLID WASTE

CONFIRMATION OF NOMINATIONS TO THE SEDGWICK COUNTY SOLID WASTE MANAGEMENT ADVISORY COMMITTEE.

Motion -- carried

Knight moved that the appointment of Mr. Pajor and Allman be confirmed. Motion carried 7 to 0.

PROCLAMATION

PROCLAMATION:

Black Colleges and Universities Recognition Day.

Motion -- carried

Knight moved that the Proclamation be approved. Motion carried 7 to 0.

OFF AGENDA ITEM

BOARD APPOINTMENT.

Motion --

Brewer moved that the appointment of George Plat to the Historic Preservation Board, replacing Bryan Barr (resigned), be approved. Motion carried 7 to 0.

-- carried

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CONSENT AGENDA

Knight moved that the Consent Agenda, except Item 28, be approved as consensus items. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED FEBRUARY 3, 2003.

Bids were opened January 17, 24, and 31, 2003, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

Lateral 32 Cowskin Interceptor Sewer to serve Southern Ridge Addition - south of Pawnee, west of Maize. (468-83548/743965/480653) Does not affect existing traffic. (District V)

Duling Construction - \$236,925.00

Lateral 42, Main 24 War Industries Sewer to serve Wilson Estates Medical Park - south of 21st Street North, west of Webb Road. (468-83563/743963/480651) Does not affect existing traffic. (District II)

K C Excavating - \$52,404.00

Main 14 Four Mile Creek Sewer to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (468-83565/743961/480649) Does not affect existing traffic. (District II)

J J Westhoff Construction - \$155,488.00

Lateral 1, Main 14 Four Mile Creek Sewer to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (468-83566/743962 /480650) Does not affect existing traffic. (District II)

Mies Construction - \$204,803.75

Water distribution system to serve Wilson Estates Medical Park - south of 21st Street North, west of Webb Road. (448-89761/735100/470770) Does not affect existing traffic. (District II)

Mies Construction - \$34,000.00

Water distribution system to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89727/735086/470756) Does not affect existing traffic. (District II)

Mies Construction - \$26,480.75

Water distribution system #448-89732 to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89732/735088/470758) Does not affect existing traffic. (District II)

Mies Construction - \$20,803.75

Water distribution system #448-89735 to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89735/735089/470759) Does not affect existing traffic. (District II)

Mies Construction - \$34,000.00

Water distribution system #448-89736 to serve Hawthorne Addition - north of 21st Street North, east of 127th Street East. (448-89736/735090/470760) Does not affect existing traffic. (District II)

Mies Construction - \$21,225.00

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Water main In Gold Street, MacArthur to 35th Street South to serve South High School Addition - Along Gold Street, north of MacArthur. (448-89694/448-89743/633751/735094/752845) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Nowak Construction - \$193,550.00

2003 sanitary sewer reconstruction Phase 1 (various locations) - east of Broadway, north of Henry. (468-83576/620364/663486) Traffic to be maintained during construction. (Districts I, III, V)

WB Carter Construction - \$366,131.00

Lateral 40, Main 15 Southwest Interceptor Sewer to serve Reflection Ridge Third Addition - north of 21st Street North, east of Tyler. (468-83537 /743966/480654) Does not affect traffic. (District V)

WB Carter Construction - \$18,131.00

Lateral 328 Four Mile Creek Sewer to serve Balthrop 4th Addition - north of Central, west of K-96. (468-83391/743956/480644) Does not affect traffic. (District II)

WB Carter Construction - \$61,231.00

Storm Water Drain #197 to serve Wilson Estates Medical Park - south of 21st Street North, west of Webb Road. (468-83564/751323/485214) Does not affect traffic. (District II)

Jayhawk Contractors - \$94,004.00

Storm Water Sewer #570 to serve Fossil Rim Estates - south of 29th Street North, east of Tyler. (468-83449/751318/485209) Does not affect traffic. (District V)

Mies Construction - \$625,992.34

21st Street from Maize to 119th - Phase 2 Landscaping. (472-83138/706814 /201279) Does not affect traffic. (District V)

Green Glo Turf Maintenance - \$23,841.00

Water distribution system to serve Reflection Ridge Third Addition - north of 21st Street North, east of Tyler. (448-89751/735102/470772) Does not affect traffic. (District V)

Mies Construction - \$23,407.00 (Negotiated to Engineer's Estimate)

Water distribution system to serve Balthrop 4th Addition - north of Central, west of K-96. (448-89655/735091/470761) Does not affect traffic. (District II)

Mies Construction - \$35,131.00

Water distribution system to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (448-89764/735099/470769) Does not affect traffic. (District II)

Mies Construction - \$93,877.00

Water Main Replacement for the Mission Heights Area - between Kellogg and Lincoln, from Quentin to Edgemoor. (448-89416/636090/779170) Traffic to be maintained during construction using flagpersons and barricades. (District II)

Duling Construction - \$1,220,426.00

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Spyglass, from the south line of Lot 49, Block 7 to the south line of Blade; Spyglass Court, from the south line of Spyglass to and including cul-de-sac; Blade, from the west line of Spyglass to the west line of Lot 38, Block 2; Millrun, from the east line of Spyglass to the east line of Lot 16, Block 4; and Millrun Court, from the south line of Millrun to and including cul-de-sac to serve Sawmill Creek Addition (north of 45th Street North, east of Rock) (472-83624/765757/490668) Does not affect traffic. (District II)

Ritchie Paving - \$377,557.30

2003 Street Rehabilitation: Meridian, Kellogg Drive & 127th Street East (north of MacArthur, east of West Street) (472-83672/706850/203316) Traffic to be maintained during construction using flagpersons and barricades. (Districts II, IV)

Cornejo & Sons Inc. - \$290,800.00 (Engineer's estimate)

Water Line along Bebe from Central to Elm, and along Elm from Bebe to approx. 630 ft. west of Bebe to serve Sunnyside Gardens Addition (along Bebe, north of Central) (448-89709/735080/470750) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

Dondlinger & Sons - \$27,385.00

Cranbrook from the south line of 21st Street North to the south line of Lot 1, Block 6; Churchill/Shadybrook from the westerly line of Cranbrook to the west line of Lot 4, Block 1; 19th Street North from the west line of 19th Court North to the east line of Lot 1, Block 6; 19th Court North from the south line of 19th Street North to and including the cul-de-sac; sidewalk along the west line of Cranbrook and the south line of 19th Street North to serve Remington Place Addition (east of Webb, south of 21st Street North) (472-83376/765763/490874) Does not affect traffic; Shadybrook/Lindberg from the east line of Cranbrook to the east line of Cranbrook to serve Remington Place Addition - east of Webb, south of 21st Street North. (472-83377/765764 /490876) Does not affect traffic; AND; Storm Water Drain #166 to serve Remington Place Addition - east of Webb, south of 21st Street North. (468-83253/751322/485213) Does not affect traffic. (District II)

Ritchie Paving:

--Cranbrook, Churchill/Shadybrook, Remington Place Addition	-\$433,737.50
--Shadybrook/Lindberg-----	\$ 73,317.75
--SWD #166, Remington Place Addition-----	<u>\$181,289.00*</u>
Aggregate Total-----	\$688,344.25

*Negotiated to Engineer's Estimate

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/BUILDING SERVICES DIVISION: Demolition of Lazy Boy Furniture Store, (692396)

Minority Contractors & Consultants Inc. - \$13,450.00 (Total Net Bid)

POLICE/AIRPORT DEPARTMENTS: Utility Uniforms (190025)

Industrial Uniform Co. Inc. - \$1,816.30 (Total net bid)

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Restrained Joint Pipe & Couplings. (183327)

Water Products Inc. - \$108,146.00 (Total Net Bid/Group 1)

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VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Furnish and Install Auto Glass. 130849)

Discount Auto Glass - Total Net Bid; (82.5% discount on windshields
73% discount all other)

FINANCE DEPARTMENT: IT/IS DIVISION: Oracle Database. (791186/632315)

Oracle Corporation - \$54,900.00*

*Utilizing the State of Kansas Contract for Software Purchases. Purchasing
utilizing Government Entities Contracts, Cooperative Contracts and
Agreements/Ordinance No. 38-122 Section 2.64.020 (j).

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid,
and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Vernon J. Blasi Xin B. Liu	Blasi Tire Center Inc. Fortune Cookie Restaurant, Inc.*	11209 West 54 Highway 620 South Holland
<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
David B. Holthe Dwayne Kahns Greg Johnson Dennis Abshier	Phillips 66 #57708 Sunrise Amoco Whata Stop Sav-A-Trip Inc. #29	7990 East Central & Rock 6327 East 13th Street 1203 East Pawnee 11931 West Central Avenue
<u>New Operator</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Terry Baker Henry Kinuthia	The Cedar Lounge Swahili Café Inc.*	3906 East 13th 3415 East Harry

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --
-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried
7 to 0.

PLANS AND SPECS

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no plans and specs considered.

PRELIMINARY EST.

PRELIMINARY ESTIMATE:

a) Constructing roundabouts and other paving in Riverside Park to serve Riverside Park - north of
Central, west of Waco. (/602411/) Traffic to be maintained during construction using flagpersons and
barricades. (District VI) - \$1,418,391

Motion -- carried

Knight moved that the preliminary estimate be received and filed. Motion carried 7 to 0.

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DEEDS/EASEMENTS DEEDS AND EASEMENTS:

- a) Easement dated August 27, 2002 from Unified School District 259 for a tract of land located in Lot 1, Dillon 9th Addition, Wichita, Sedgwick County, Kansas (Private project, OCA #607861). No cost to City.
- b) Utility Easement dated December 9, 2002 from Friends University AKA The Friends University for a tract of land located in Lot 47, University Place Addition to Wichita, Sedgwick County, Kansas (Private project, OCA #607861). No cost to City.
- c) Drainage Easement dated December 11, 2002 from Fouts Geller Development Company, LLC, a Kansas limited liability company for a tract of land located in the NW 1/4 of Sec. 4, Twp. 27S, R-1-W of the 6th P.M., Sedgwick County, Kansas (Fossil Rim, OCA #751318). No cost to City.
- d) Drainage & Utility Easement dated December 11, 2002 from Fouts Geller Development Company, LLC for a tract of land located in Lot 8, Block A, Fossil Rim Estates, Wichita, Sedgwick County, Kansas (Fossil Rim, OCA #751318). No cost to City.
- e) Utility Easement dated December 18, 2002 from Laham Holding Company L.L.C. and East Pointe Development, L.L.C. for a tract of land located in Lot 1, Block 3, Reflection Ridge 3rd Addition to Wichita, Sedgwick County, Kansas (Reflection Ridge 3rd, OCA #735102). No cost to City.
- f) Utility Easement dated January 3, 2003 from Nordyke Ventures, LLC for a tract of land located in Lot 1, Block 3, Reflection Ridge 3rd Addition to Wichita, Sedgwick County, Kansas (Reflection Ridge 3rd, OCA #743966). No cost to City.
- g) Storm Water Agreement dated January 8, 2003 from Kitch Partners for a tract of land located in the SW 1/4 of the NE 1/4 of Sec. 9, Twp. 27-S, R-2-E of the 6th P.M., Wichita, Sedgwick County, Kansas (Cranbrook/Remington, OCA #765763). No cost to City.

Motion -- carried

Knight moved that the Deeds and Easements be accepted. Motion carried 7 to 0.

PETITION R.A. MORRIS

WATER DISTRIBUTION SYSTEM - PART OF R.A. MORRIS TRACTS – NORTH OF CENTRAL, EAST OF HOOVER. (DISTRICT VI)

Agenda Report No. 03-0138.

The Petition has been signed by one owner, representing 100% of the improvement district.

The project will provide water service to a house located north of Central, east of Hoover.

The Petition totals \$6,500. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 03-042

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89790 (north of Central, East of Hoover) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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PETITIONS REED'S COVE

PAVING - REED'S COVE ADDITION – SOUTH OF 21ST, EAST OF 127TH STREET EAST. (DISTRICT II)

Agenda Report No. 03-0139.

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving to a new residential development located south of 21st, east of 127th Street East.

The Petitions total \$1,848,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 03-043

Resolution of findings of advisability and resolution authorizing improving Glenwood from the south line of Bridlewood to the south line of 21st Street North. Glenwood Circle from the south line of Bridlewood serving Lots 7 through 16, Block 2, to and including the cul-de-sacs. Glenwood Court from the west line of Glenwood serving Lots 1 through 13, Block 1, to and including the cul-de-sac. Glenwood Court from the west line of Glenwood serving Lots 14 through 23, Block 1 to and including the cul-de-sac. Glenwood Court from the west line of Glenwood serving lots 24 through 33, Block 1 to and including the cul-de-sac. Bridlewood from the west line of Glenwood to the west line of Lot 16, Block 2 with a sidewalk on one side. Sidewalk on one side of Glenwood from the north line of Bridlewood to the north line of Lot 1, Block 2. and eight-foot sidewalk on one side of Glenwood from Reed's Cove to 21st Street North, (south of 21st Street, east of 127th Street East) 472-83680, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-044

Resolution of findings of advisability and resolution authorizing improving Reed's Cove from the east line of Reed's Cove Court to the west line of Glenwood; Bridlewood from the east line of Peckham Circle to the east line of Lot 17, Block 2; Bridlewood Court serving Lots 28 through 35, Block 2 from the south line of Bridlewood to and including the cul-de-sac; Bridlewood Court serving Lots 17 through 27, Block 2 from the south line of Bridlewood to and including the cul-de-sac; sidewalk on one side of Bridlewood from the east line of Peckham Circle to the east line of Lot 17, Block 2; sidewalk on both sides of Reed's Cove from the east line of Reed's Cove Court to the west line of Glenwood, (south of 21st Street, east of 127th Street East) 472-83694, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO. 03-045

Resolution of findings of advisability and resolution authorizing improving Peckham from the south line of Bridlewood to the south line of Reed's Cove; Peckham Circle from the south line of Bridlewood to an including the cul-de-sac serving Lots 36 through 42, Block 2; Peckham Court from the west line of Peckham to and including the cul-de-sac serving Lots 43 through 58, Block 2; Peckham Court from the west line of Peckham to and including the cul-de-sac serving Lots 59 through 69, Block 2; Reed's Cove Court from the south line of Reed's Cove to and including the cul-de-sac serving Lots 19 through 26, Block 3; sidewalk on one side of Peckham from the south line of Bridlewood to the south line of Reed's Cove, (south of 21 Street, east of 127th Street East) 472-83695, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-046

Resolution of findings of advisability and resolution authorizing improving Reed's Cove from the east line of 127th Street East to the east line of Reed's Cove Court; sidewalk on both sides of Reed's Cove from the east line of 127th Street East to the east line of Reed's Cove Court, (south of 21 Street, east of 127th Street East) 472-83696, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PETITIONS FALCON FALLS

PAVING, WATER DISTRIBUTION SYSTEM – FALCON FALLS ADDITION - SOUTH OF 53RD NORTH, WEST OF HILLSIDE. (District I)

Agenda Report No. 03-0140.

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving and water service to a new residential development located south of 53rd Street North, west of Hillside.

The Petitions total \$1,475,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO.03-047

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89770, (south of 53rd Street North, west of Hillside) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO.03-048

Resolution of findings of advisability and Resolution authorizing improving Peregrine from the west line of Hillside to the south line of Kite, on Peregrine Court adjacent to Lots 16 through 21, Block 3, on Lanners Circle and Lanners Court adjacent to Lots 36 through 45, Block 2 and Lots 1 through 15, Block 6, Kite from Peregrine to the west line, and on Osprey Circle adjacent to Lots 1 through 26, Block 2, sidewalk along one side of Peregrine, and on one side of Kite (south of 53rd Street North, west of Hillside) 472-83687, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO. 03-049

Resolution of findings of advisability and Resolution authorizing improving of Peregrine from the south line of said addition to the north line of Lot 1, Block 7, on Kite and Blackhawk from the south line of Lot 12, Block 3 to the west line of Lot 1, Block 3 and on Kite Circle adjacent to Lots 15 through 18, Block 1 and Lots 1 and 2, Block 4. Sidewalk along one side of Peregrine, on one side of Kite and on one side of Blackhawk. A temporary cul-de-sac to be installed at the south end of Peregrine, (south of 53rd Street North, west of Hillside 472-83689, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-050

Resolution of findings of advisability and Resolution authorizing improving of a left turn lane on Hillside, at the entrance to Falcon Falls Addition at Peregrine and at Blackhawk, (south of 53rd Street North, west of Hillside) 472-83690, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PETITIONS TYLER'S LANDING

PAVING, WATER DISTRIBUTION SYSTEM – TYLER'S LANDING ADDITION - SOUTH OF 37TH NORTH, EAST OF TYLER. (District V)

Agenda Report No. 03-0141.

The Petitions have been signed by two owners, representing 100% of the improvement districts.

These projects will provide paving and water service to a new residential development located south of 37th Street North, east of Tyler.

The Petitions total \$785,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO.03-051

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89772, (south of 37th Street North, east of Tyler), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO. 03-052

Resolution of findings of advisability and Resolution authorizing improving of Brookview from Tyler Road to the east line of Lot 28, Block C, Valerie and 34th Street North from Brookview to the east line of Lot 32, Block B. Valerie Circle from 34th Street North to and including cul-de-sac, on 34th Street North Court from 34th Street North to and including the cul-de-sac to serve Lots 17 through 24, Block B, 34th Street North Court from 34th Street North to and including the cul-de-sac to serve Lots 25 through 32, Block B. Sidewalk on one side of Brookview, Valerie, and 34th Street North, (south of 37th Street North, east of Tyler) 472-83691, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO.03-053

Resolution of findings of advisability and Resolution authorizing improving Brookview from the east line of Lot 28, Block C, to High Point, on High Point, Brookview, and Pepper Ridge from the south line of Tyler's Landing Addition to the north line of Tyler's Landing addition, on 34th Street North from the east line of Lot 32, Block B to Pepper Ridge, on Lang from Pepper Ridge to the east line of Tyler's Landing Addition. Sidewalk on one side of Brookview and High Point, Brookview, and Pepper Ridge (south of 37th Street North, east of Tyler) 472-83692, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-054

Resolution of findings of advisability and Resolution authorizing improving left turn bay on Maize Road to serve Brookview (south of 37th Street North, east of Tyler) 472-83693, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

PETITION SOUTHERN RIDGE

PAVING, SANITARY SEWER, WATER DISTRIBUTION SYSTEM – SOUTHERN RIDGE ADDITION, SOUTH OF PAWNEE, WEST OF MAIZE. (District V)

Agenda Report No. 03-0142.

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving, sanitary sewer, and water service to a new residential development located south of Pawnee, west of Maize.

The Petitions total \$1,242,000. The funding source is special assessments, except for a waterline petition, which includes \$3,000 funded by the Water Utility for over sizing.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 03-055

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89765, (south of Pawnee, west of Maize), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO. 03-056

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89766 (south of Pawnee, west of Maize) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-057

Resolution of findings of advisability and Resolution authorizing improving of Lateral 33, Cowskin Interceptor Sewer (south of Pawnee, west of Maize) 468-83549, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO.03-058

Resolution of findings of advisability and Resolution authorizing improving Lark from the south line of Pawnee Avenue to the south line of Atlanta, on Atlanta from the east line of Lark Lane, east to and including the cul-de-sac, on Westgate, from the south line of Atlanta Ct., south to the west line of Plat, on Westgate Ct., (Lots 22 through 39, Block, from the east line of Westgate, east to and including the cul-de-sac, on Yosemite from the west line of Maize Rd., west to the west line of the Plat, on Yosemite Ct., from the north line of Yosemite, north to and including the cul-de-sac, on Lamp, from the north line of Yosemite North, to and including the cul-de-sac. Sidewalk on Lark, Atlanta, Westgate, Yosemite, and within Reserve "C", (south of Pawnee, west of Maize) 472-83681, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-059

Resolution of findings of advisability and Resolution authorizing improving left turn bay improvements on Pawnee Avenue to serve Southern Ridge Addition (south of Pawnee, west of Maize) 472-83682, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-060

Resolution of findings of advisability and Resolution authorizing improving left turn bay improvements on Maize Road to serve Southern Ridge Addition, (south of Pawnee, west of Maize) 472-83683, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

District Advisory Board III, October 2, 2002
Housing Advisory Board, October 15, 2002
District Advisory Board V, November 4, 2002
District Advisory Board III, November 6, 2002
District Advisory Board II, November 18, 2002
Wichita Employees' Retirement System, November 20, 2002
Alternative Correctional Housing Advisory Board, November 21, 2002
Board of Code Standards & Appeals, December 2, 2002
District Advisory Board V, December 2, 2002

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District Advisory Board II, December 2, 2002
District Advisory Board III, December 4, 2002
Wichita Employee's Retirement Board/Police & Fire Retirement Board, December 5, 2002
Wichita Park Commissioners Board, December 9, 2002
Design Council, December 19, 2002

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES

STREET CLOSURES: MULTIPLE LOCATIONS, WHICH ACCESS CENTRAL RIVERSIDE PARK.

Agenda Report No. 03-0143

The Riverside Park Improvement project includes the construction of roundabouts at the intersection of Nims and Stackman, and also at the intersection of Murdock and Stackman.

Murdock from the roundabout west to Nims is being removed, and the section of Stackman between the two roundabouts is being improved. On January 14, 2003, Council approved Cornejo and Sons, Inc. as the contractor for this portion of the project. Work is expected to begin February 10 and last through June 30, 2003. It will be necessary to close streets in order to block traffic through the park where construction is taking place.

During the closures, access to Central Riverside Park will be limited to the use of Museum Boulevard and Stackman from the south or east and River Boulevard, Bitting and Nims streets from the north.

Nims street traffic will be detoured using Central, Museum Boulevard and Stackman streets while Murdock, River Boulevard traffic will be detoured using Waco and 13th streets.

The contractor is responsible for construction barricades, detour signing, and notification of affected businesses and residents.

There are no financial Considerations.

Motion -- carried

Knight moved that the street closures be approved. Motion carried 7 to 0.

CLAIMS REPORT

REPORT ON CLAIMS ALLOWED -- DECEMBER 2002:

<u>Name of Claimant</u>	<u>Amount</u>
Barclay, Jan M.	\$411.00
Beruni, Labeebah	\$500.00 **
Boniface, Gitau N.	\$990.05
Carter, Larry & Deborah	\$696.52
Casey, Timothy Lee	\$60.00
Hanks, Wallace C.	\$1,500.00**
Jackson, William H.	\$444.52
Jelley, Dannette	\$443.60 **
Jurado, Todd & Donna	\$62.46
King, Ellis	\$107.10
Money Penny, Susan	\$91.00
Newport, Dena L.	\$232.02
Parsons, Steve	\$212.55 **
Paxton, Randy	\$743.13
Russell, Tammy	\$382.50

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Sedbrook, Annette	\$64.26
Taylor, Betty	\$313.58
Wallace, Tobe	\$95.62
Wheeler, Jose	\$361.98 **

Motion -- carried Knight moved that the Report be received and filed. Motion carried 7 to 0.

ASSMT. RESPREAD **RESPREAD ASSESSMENTS – OAK RIDGE THIRD ADDITION – NORTH OF 29TH STREET NORTH, EAST OF TYLER. (District V)**

Agenda Report No. 03-0101

The landowner, J.D. Holding Co., L.L.C., has submitted an Agreement to respread special assessments within Oak Ridge 3rd Addition.

The land was originally included in an improvement district for a paving project. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvement.

There is no cost to the City.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

HOOVER ROAD **SEDGWICK COUNTY – HOOVER ROAD IMPROVEMENT, SOUTH OF 31ST SOUTH TO HARRY. (District VI)**

Agenda Report No. 03-0102.

On September 25, 2001, the City Council approved a project to improve Hoover Road, from south of 31st Street South to Harry. The project is a partnership of the City of Wichita, Sedgwick County, and the State of Kansas. An Agreement has been prepared which establishes the framework for the City/County participation in the project.

The project will serve an industrial area that includes the Cessna Wallace Aircraft plant, Case Manufacturing facility and Wichita Mid-Continent Airport. Cessna is planning to expand its operation, which will increase the number of buildings, parking lots, and employees. The area in which they are planning to expand is accessed from Hoover Road, which is a temporary two-lane asphalt mat roadway. The roadway is insufficient to manage the large volumes of traffic that will be generated from the Cessna complex. In addition, the area downstream from Cessna has had a history of flooding and abuts the Wichita/Valley Center Floodway. Storm water management systems need to be constructed to better manage the flooding and also allow permanent street construction.

The total project cost is estimated to be \$12,000,000, with a maximum of \$5,390,000 to be paid by the County from a combination of local funds and a grant awarded the County by the federal Economic Development Administration, a maximum of \$6,950,000 to be paid by Local Partnership Program funds administered by the Kansas Department of Transportation and any other required funds to be paid by the City. Additionally, the City will contribute \$10,460,000 for industrial site development, taxiway construction, and utility relocation associated with Cessna Aircraft Company facilities expansion. City agrees to design, acquire the right-of-way and administer the construction of the project.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

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ANIMAL SHELTER ANIMAL SHELTER SERVICES.

Agenda Report No. 03-0103.

The City of Wichita provides animal shelter services to Sedgwick County and the cities of Clearwater, Derby, Eastborough, Kechi, Maize, Mt. Hope, and Park City. Services are provided under the terms of individual contracts with the County and other cities, specifying services provided, responsibilities of each party, and financial details.

The contract arrangement consolidates area public sector animal shelter activities, providing enhanced customer service and creating economies of scale for all involved. Overhead costs are spread over a greater base, and metropolitan area citizens are able to deal with a single facility in seeking lost pets, redeeming stray animals, or viewing animals for adoption.

The revised contracts call for a charge of \$ 25.00 for each animal accepted from Sedgwick County or the other cities involved. Finance Department staff has determined that this charge is adequate to offset the City's direct cost of providing services and make an appropriate contribution to general shelter overhead expenses. Based on 2002 shelter utilization, the proposed contracts will increase City revenue by slightly over \$14,000.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

INTERNET/LIBRARY INTERNET ACCESS CENTRAL LIBRARY.

Agenda Report # 03-0104.

The Library is integrating information technology support into the service program of the IT/IS Division. Employee workstations will be added to the City's computer network, but machines used by the public will be operated on a separate network so as not to create security risks for city systems.

The Library has arranged with Cox Communications to join its Project K.I.D.S. program that provides Internet access for schools and libraries at no charge. In order for the Central Library to qualify for this program, the Library would be required to upgrade the Cox infrastructure in the area of the Library/Century II. Staff has determined that continued use of an Internet service provider is a better and more cost-effective alternative to this upgrade.

A Request for Proposal for Internet access was released in early January. Network Tool and Die Company responded with the lowest rates for service. Library and IT/IS staff also believe the value-added services identified in the Network Tool and Die proposal best meet the needs of the Library in the upcoming year.

The monthly access fee for service may be reduced by 75% if the Library submits a successful application for subsidies through the Universal Service (e-rate) discount program. Initiation of service will be timed to maximize discount savings. Payment for this service will be funded through the Library's state grants-in-aid program.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

LAI ACQUISITION AND RELOCATION CONTRACT. (District II)

Agenda Report No. 03-0137.

The Wichita Airport Authority has identified a need to acquire additional land north of Runway 18 at Jabara Airport for the Runway Projection Zone and Runway Approach Protection Zone. Federal funds are expected to be utilized in this project necessitating compliance with Federal acquisition and

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relocation procedures. The projects will require the partial or total acquisition of approximately 5 tracts and the relocation, where appropriate, of the occupants.

Local presence, experience with relocation procedures, and ability to accomplish the assignment in a timely manner are of prime importance. Due to project timing, only local firms were considered. These were interviewed and Land Acquisitions, Inc. was selected as the firm that best met all requirements. Land Acquisitions has done prior work of a similar nature for the City with good results.

The contract is based on an hourly basis with a maximum cost of \$1,600 per acquisition, \$2,200 per residential relocation and \$2,500 per commercial relocation. The exact number of acquisitions and relocations will depend on the final project design. The total cost is budgeted to not exceed \$15,000.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES AGREEMENT FOR DESIGN SERVICES - POWER CDC SECOND ADDITION – NORTH OF 25TH STREET NORTH, WEST OF GROVE. (District I)

Agenda Report No. 03-0105

The City Council approved the project on December 17, 2002.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements in Power CDC 2nd Addition. Per Administrative Regulation 7a, staff recommends the selection of MKEC as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$26,380, and will be paid by special assessments.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES AGREEMENT FOR DESIGN SERVICES - WHISPERING LAKES ESTATES – SOUTH OF HARRY, EAST OF 143RD STREET EAST. (District II)

Agenda Report No. 03-0106

The City Council approved the project on December 17, 2002.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond financed improvements in Whispering Lakes Estates. Per Administrative Regulation 7a, staff recommends the selection of R&B as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$47,000, and will be paid by special assessments.

Motion -- carried Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

KESGP GRANT APPLICATION FOR KANSAS EMERGENCY SHELTER GRANT FUNDS. (All Districts)

Agenda Report No. 03-0107

The State of Kansas receives Emergency Shelter Grant funds under the Stewart B. McKinney Homeless Assistance Act. These funds are in turn awarded to local units of government on behalf of homeless service providers throughout the state.

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The Kansas Department of Commerce and Housing issued a Notice of Funding Available (NOFA) for the 2003 Kansas Emergency Shelter Grant Program (KESGP). Private non-profit agencies are eligible to receive the funds, however the application must be submitted by the local governmental entity. Several agencies have submitted requests to the City for the KESGP funding. The deadline to submit the 2003 application to the State was February 3, 2003.

The KESGP funding process is competitive on a statewide basis. The projects included in this application will be evaluated against all projects submitted by other city and county governments throughout the state.

The grant application includes funds for the following agencies and activities:

Catholic Charities Anthony Family Shelter and Emergency Services - Funds are requested for operating and maintenance costs of \$10,715.

Catholic Charities Harbor House - Funds are requested for operating and maintenance costs of \$6,000.

Inter-Faith Inn - Total funding in the amount of \$59,000 is requested for conversion of a storeroom to an educational area (\$15,000), Operations (\$17,500), and Essential Services for supportive service personnel such as case managers (\$26,500).

Inter-Faith Safe Haven - Total funding in the amount of \$36,500 is requested for operations, (\$27,500), and for Essential Services for supportive service personnel such as case managers (\$9,000).

Salvation Army Emergency Lodge - Funding in the amount of \$25,000 is requested for operating costs of the emergency shelter.

Center of Hope - Funding in the amount of \$20,000 is requested for rent and utility assistance.

United Methodist Urban Ministry - Funding in the amount of \$25,000 is requested for operating costs of the daytime drop-in center.

YMCA Women's Crisis Center - Funding in the amount of \$5,500 is requested for operating costs of the agency's women shelter.

The City is allowed 2.5% for administration. The amount will depend on the total amount of funding awarded for agency allocations.

The total amount of the requests is \$187,715. Each of the agencies has committed to providing the required matching funds. A total of \$850,000 is available for the State of Kansas.

Motion --
-- carried

Knight moved that the Grant Application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PARK

PLAYGROUND AMENITIES AND EQUIPMENT REHABILITATION.

Agenda Report No. 03-0108

The Park and Recreation Department is in the process of renovating playgrounds and replacing playground equipment across the city of Wichita to enhance this community resource and address safety concerns associated with current configurations. Playground improvements have been accomplished at the following park sites: Aley, Sunset, Brownthrush, Lincoln, Henry, Hope, Prospect, Lynette Woodard Recreation Center, College Hill, Cypress, Rivera, Schweiter, Sycamore, West Douglas, West Millbrook, Planeview, Southview, Emery, Piatt, Woodland, Evergreen, Harrison, Boston, Cessna, Sleepy Hollow, Edgemoor, McDonald and Eastview.

On August 6, 2002, the City Council authorized the initiation of \$800,000 in the 2002 and 2003 Park Capital Improvement Programs to rehabilitate park playgrounds and amenities in various locations.

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The City's Request for Proposal (RFP) was developed to select one vendor to design and construct various playground improvements. A pre-proposal conference was held on October 28, 2002, to allow all interested companies to view each of the playground sites and ask questions.

The City received seven responses to the RFP. The Screening and Selection Committee composed of City staff and community volunteers evaluated each of the proposals and developed a short list of three companies which made presentations to the Committee. The Committee evaluated proposals based on aesthetics (10%), durability (40%), play value (30%), and cost and installation capability (20%). Based on the criteria, Athco, L.L.C. was selected for the playground design and construction.

The proposal includes renovated playgrounds with full ADA accessible play structures at the following park locations: Evergreen, Minisa, Osage, North Linwood, South Linwood, McAdams, Murdock, Emporia, Skyline, Hyde, and Watson – east and west sites. Additional play equipment will be added to Schweiter, Sycamore, Boston and Planeview Parks, as recent renovations were modest and play equipment is limited at these park sites.

The total cost for construction of all playground systems is \$784,000 and allows for a \$5,000 contingency.

Motion --
-- carried

Knight moved that the project be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AVIATION FESTIVAL ARTS AND HUMANITIES FUNDING TRANSFER.

Agenda Report No. 03-0109

In response to the Strategic Tourism Plan developed by consultant Alf Nucifora, the City of Wichita has been working with various community groups and businesses preparing for the second annual aviation festival. The first festival was held in September, 2002, and brought together major aircraft manufacturers, subcontractors, aviation enthusiasts of all ages, governments and public and private organizations for the purpose of celebrating the many contributions aviation makes to Wichita and surrounding communities. Building on the success of the first aviation festival, a second festival is planned for September 2003 to celebrate this nation's special 100th anniversary of powered flight. This year's event is designed to attract visitors to Wichita and the surrounding area in support of tourism and economic development.

The 2003 annual aviation festival, planned for September 2003, will build upon the successful first year's 2002 festival and make this a premier event for the South Central Kansas region. Planned events include a spectacular opening event; an Aviation Gala fund raising banquet; a series of air shows and aircraft displays; a "Fly Market" to bring together aviation subcontractors and interested individuals for product/service information and general education; an aviation employee appreciation event along with many other activities for children and adults.

In preparing for a number of events associated with the festival some advance funding for contracts is required. Air show attractions must be booked well in advance – each requiring deposits. In addition, marketing expenditures are necessary for promotional and other planned activities. Many of the expenses are time sensitive and require full or partial payment to guarantee commitments by the various vendors, performers or providers. To facilitate necessary contracting, Staff is proposing to transfer the City's budgeted commitment (not to exceed \$50,000) to the Arts and Humanities Council, a not-for-profit 501 c (3), for the purpose of more effectively responding to the many upcoming aviation festival-related events and contracted costs. The transfer of funds would not include the recent grant funding from the Kansas Department of Housing and Economic Development (KDHE). City staff would oversee all expenses based upon a Memorandum of Understanding between the City and the Arts and Humanities Council.

The City had budgeted \$50,000 for the Aviation Festival in 2002 with one-half of the funding from the Convention and Tourism Fund and the other half from the General Fund. The 2003 budget is \$25,000

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from the Convention and Tourism Fund. Staff is proposing transferring the remaining funding from both years (not to exceed \$50,000) to the Arts and Humanities Council contingent upon a signed Memorandum of Understanding outlining expenditures for these funds.

Motion --carried

Knight moved that the transfer of funds be authorized. Motion carried 7 to 0.

WATER LINES

48-INCH AND 66-INCH RAW WATER LINES CHANGE ORDER.

Agenda Report No. 03-0110

On January 25, 2000, the City Council approved construction of a 66-inch raw water line from 21st Street and Zoo to the Water Treatment Plant to provide the maximum day demand in the event that the existing 48-inch raw water line from the Equus Beds wellfield was out of service. On May 22, 2001, the City Council approved rehabilitation of the 48-inch raw water pipeline that carries untreated water from the Equus Beds wellfield to the water treatment plant.

During rehabilitation of the 48-inch line, it was decided to relocate the portion of the 48-inch line located in Sim Park Golf Course to Amidon by replacing it with a 42-inch line, and to install at that time that portion of the new 66-inch raw water line scheduled to be placed in Amidon at a future date. This was done in order to minimize disruption to Amidon and was formalized in Change Order #1.

During the project, circumstances were discovered which could not have been known prior to commencing work. The final change order resolves all outstanding issues related to the project.

There are no changes to the dollar amount.

Motion --
-- carried

Knight moved that the Change Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item No. 28)

WATER TREATMENT WATER TREATMENT PLANT WASH WATER AND FILTER BACKWASH REMOVAL.

David Warren

Director of Water and Sewer reviewed the Item.

Agenda Report No. 03-0111

Semi-annual cleaning of the basins at the Water Treatment Plant was identified as a significant source of taste and odor in 1993. Improvements to the treatment plant significantly reduced the quantity of sludge removed during routine basin cleaning; however, a Water Supply Plan formed during the same year changed the character of the water by increasing the percentage coming from Cheney Reservoir. Prior to implementation of the Plan, Cheney Reservoir provided 40% of the water supply and now provides 65% -to-70% of the supply. This change in water use has a significant positive impact on water supplies, while creating additional treatment and maintenance problems due to less dilution of taste and odor compounds that are sometimes present in water coming from Cheney Reservoir. Most noticeable was the increase in taste and odor complaints during fall maintenance activities in November 2002.

The presence of taste and odor compounds in the treated water results in the presence of these compounds in the residual solids that are cleaned from water treatment processes at the Water Treatment Plant during maintenance. Basin maintenance activities frequently result in an increase in taste and odor complaints because the treatment plant does not have the ability to pump all of the wash water off site during routine maintenance activities each spring and fall. Because the plant was constructed in a manner that wastes the least amount of water, some of the basin wash water is returned to the head of the plant for treatment. The wash water that returns to the head of the plant carries the taste and odor compounds obtained as a result of contacting the residual solids.

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The primary taste and odor reduction tool being used is to use washing techniques that reduce the amount of wash water returned to the treatment plant. To accomplish this, most of the wash-down water and sludge is pumped to the sludge lagoon at 29th and West Street. The small 4-inch diameter sludge disposal line limits the amount of wash water that can be pumped.

This technique has significantly extended the time it takes to wash the basins. As demand for water has increased, it has become increasingly difficult to complete basin maintenance because of the additional time it takes to clean them. An additional sludge disposal line that is large enough to allow removal of all wash-down water is needed to eliminate the return of any wash water to the treatment plant during maintenance activities. Construction of a segment of a 16-inch sludge line was included in the construction of the new 66-inch raw water line. The rest of the line and new pumps to pump wash water are in the new CIP. If it should be required by federal and state regulations, the new sludge line will also allow for the disposal of filter backwash water.

Cost estimation for the improvement is \$3,500,000. Half of the funding (\$1.7 million) can be transferred from W-884, Southeast Transmission Line, which came in under budget at \$8.6 million. Another \$600,000 can be transferred from the 2003 CIP budget for W-598, Meter Replacement Program. The remaining \$1.2 million can be transferred from funds in CIP W-65. The new project will be CIP W-888, Water Treatment Plant Wash Water and Filter Backwash Removal.

City Council authorization is required for projects in excess of \$10,000 and for amendments to the Capital Improvement Program. In accordance with Charter Ordinance 111, City Council approval is required for a "design-build" project.

Motion --

-- carried

Knight moved that the CIP amendments be approved, that Purchasing be authorized to issue an RFP for design services; Staff be authorized to select a design engineer; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0

RESOLUTION NO. 03-063

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the City, and to issue Revenue Bonds in a total principal amount which shall not exceed \$3.5 Million, exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

NARCOTIC ACCTS.

NARCOTIC SEIZURE ACCOUNTS.

Agenda Report No.03-0112

Under Federal and State law, law enforcement agencies are permitted to seize assets from specified unlawful activities. After seizing assets, law enforcement agencies file a case for forfeiture in Federal or State court. If the court rules that the assets are proceeds from specified unlawful activity, then the assets are forfeited to the law enforcement agency. For the City of Wichita, forfeited assets are deposited into separate Narcotic Seizure accounts to provide supplementary funding for law enforcement activities. Each year, the City is required to submit a Federal Annual Certification Report, which outlines seizure revenue and outlays for the prior year.

The budget for the Narcotic Seizure accounts are adopted to permit the expenditure of funds forfeited to the Wichita Police Department. Federal and State regulations require separate accounts for assets forfeited under different forfeiture programs. The Police Department recommends that the City Council adopt the 2003 Narcotic Seizure budget, which is described below in the Financial Considerations section.

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As of December 31, 2002, the Narcotic Seizure accounts have funds totaling \$285,235. The Police Department recommends the following budget for 2003:

<u>Budgeted Item</u>	<u>Amount</u>
Undercover buy money	\$ 75,000
Operations/maintenance-undercover vehicles	45,000
Matching funds	40,000
Undercover fleet replacements	40,000
Law enforcement training	35,000
Vehicle liability insurance	15,000
Clandestine lab team physical examinations	15,000
Surveillance/tactical entry/safety equipment	10,000
Misc. Police equipment	5,000
Annual audit	2,000
Contingency/fund reserve	<u>3,235</u>
	\$285,235

Federal and State laws require local units of government to use forfeited assets to supplement the funds dedicated to law enforcement and prohibits supplanting local funds with forfeited assets. As a prerequisite to the approval of any equitable sharing request, the City must submit the Federal Annual Certification Report within 60 days after the close of the fiscal year.

Motion --
-- carried

Knight moved that the budget be approved and the necessary signatures on the Federal Annual Certification Report be authorized. Motion carried 7 to 0.

CLAIM PAYMENT

APPROVAL OF CLAIM PAYMENT.

Agenda Report No. 03-0113

An accident occurred between a City dump truck and a full-sized recreational vehicle towing a pickup truck. There were no injuries but the recreational vehicle and the pickup truck were determined to be total losses.

After investigating the claim and evaluating the extent of the claimed damages, the City determined that a resolution of this matter was appropriate. After some discussion, the City has been offered an opportunity to resolve the claim with a lump sum payment of \$26,750.00 as full settlement of the claim. The Law Department recommends acceptance of the offer.

Funding for this settlement payment is from the Tort Claims Fund.

Motion --
-- carried

Knight moved that the payment of \$26,275.00 as a full settlement of the claim be approved. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 303 NORTH HILLSIDE. (District II)

Agenda Report No. 03-0114

The Hillside Improvement Project, Kellogg to Central, was approved for design and right-of-way acquisition by the City Council on December 11, 2001. One of the tracts to be acquired is a portion of 303 North Hillside, owned by Kid Brothers of St. Frank, Co. The site contains 5,369 square feet; the required acquisition is 12.50 square feet and does not impact any improvements.

The property was appraised at \$ 82.00. The owners have agreed to accept this amount.

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Funds have been budgeted in the 2002 Capital Improvement Program for project acquisitions. The funding source is General Obligation Bonds. A budget of \$ 280.00 is requested. This includes \$ 82.00 for the acquisition and \$ 198.00 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF LAND AT SHERIDAN AND FIRST STREET. (Districts IV and VI)

Agenda Report No. 03-0115.

On November 19, 2002, the City Council approved the project location and initiation of acquisition for the First and Second Street West Drainage Outfall project. The project will require the acquisition of three parcels of land. One of the required parcels is located on the west side of Sheridan, immediately south of 1st Street. The parcel is owned by Castle Investments LLC and is currently vacant.

The lot is part of a development being built by the owner. While lots are not being actively marketed in an undeveloped state, some have been sold for \$18,000-to-\$19,000 per lot for development. The owner has agreed to sell this lot for \$18,500.

Council action approved \$250,000 for acquisition for the project. The funding source is Storm Water Utility funds. A budget of \$19,000 is requested. This includes \$18,500 for acquisition and \$500 for closing costs, surveys and title insurance.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF SEWER EASEMENT – 1936 SOUTH HOOVER. (District IV)

Agenda Report No. 03-0116-1.

On September 25, 2001, the City Council approved a project to improve drainage along Hoover Road from Harry to 31st Street South and to improve the road. Part of the planned development calls for the improvement of the storm sewer at 1936 South Hoover. This construction will require about 14,200 square feet of a parcel owned by Utility Contractors.

The easement contains approximately 9,627 square feet and has been appraised at \$16,000. The owner has agreed to grant the City the easement for this amount. This amount includes compensation for the land, any items that need to be moved and any damages to the remainder.

A budget of \$16,000 is requested for the acquisition.

Agenda Report No. 03-0116-2

On September 25, 2001, the City Council approved a project to improve drainage along Hoover Road from Harry to 31st Street South and to improve the road. Part of the planned development calls for the improvement of the storm sewer at 1936 South Hoover. This construction will require about 14,200 square feet of a parcel owned by Utility Contractors.

The easement contains approximately 14,200 square feet and has been appraised at \$45,000. The owner has agreed to grant the City the easement for this amount. This amount includes compensation for the land, any items that need to be moved and any damages to the remainder.

A budget of \$45,000 is requested for the acquisition.

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Motion --
-- carried

Knight moved that the budgets and Contracts be approved, and the necessary signatures be authorized.
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 3116-3118 EAST 18TH. (District I)

Agenda Report No. 03-0117.

The Hillside Improvement Project, between 17th and 21st Streets, was approved for design and right-of-way acquisition by the City Council on May 21, 2002. The project will require the acquisition of 15 tracts. One of the properties is owned by Kurtis and Hope Vogel. The property is located at 3116-3118 East 18th and is improved with a 1200 square foot frame house on a 7,000 square foot site. The planned improvements will require the removal of the improvements and utilization of the site.

The property was valued at \$ 28,000. The owner has agreed to sell for \$ 38,500. The tenants will be relocated and the site will be processed for demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$ 48,500 is requested. This includes \$ 38,500 for the acquisition, \$ 5,000 for demolition, \$ 3,000 for moving and relocation and \$ 2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized.
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 3202 EAST OAKLAND. (District II)

Agenda Report No. 03-0118.

The Hillside Improvement Project, Kellogg to Central, was approved for design and right-of-way acquisition by the City Council on December 11, 2001. One of the tracts to be acquired is a portion of 3202 East Oakland, owned by the Donald D. Rutherford Trust. The site contains 200 square feet and has no improvements.

The property was appraised for \$ 1,800. The owners have agreed to accept this amount.

Funds have been budgeted in the 2002 Capital Improvement Program for project acquisitions. The funding source is General Obligation Bonds. A budget of \$ 2,400 is requested. This includes \$ 1,800 for the acquisition and \$ 600 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized.
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 1959 NORTH HILLSIDE. (District I)

Agenda Report No. 03-0119.

The Hillside Improvement Project, between 17th and 21st Streets, was approved for design and right-of-way acquisition by the City Council on May 21, 2002. The project will require the acquisition of 15 tracts. One of the properties is owned by Barbara Glass. The property is located at 1959 North Hillside and is improved with a 1,159 square foot frame house on a 7,714 square foot site. The planned improvements will require the removal of the improvements and utilization of the site.

The property was valued at \$ 32,000. The owner has agreed to accept this amount. The owner will be relocated and the site will be processed for demolition.

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Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$ 47,000 is requested. This includes \$32,000 for the acquisition, \$5,000 for demolition, \$ 8,000 for moving and relocation and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 3126 STADIUM AND 3121 STADIUM. (District I)

Agenda Report No. 03-0120-1.

The Hillside Improvement Project, between 17th and 21st Streets, was approved for design and right-of-way acquisition by the City Council on May 21, 2002. The project will require the acquisition of 15 tracts. One of the properties is owned by Sterlean Jackson. The property is located at 3121 Stadium and is improved with a 926 square foot frame house on a 7,875 square foot site. The planned improvements will require the removal of the improvements and utilization of the site.

The property was valued at \$ 44,000. The owner has agreed to accept this amount. The owner will be relocated and the site will be processed for demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$ 59,000 is requested. This includes \$ 44,000 for the acquisition, \$ 5,000 for demolition, \$ 8,000 for moving and relocation and \$ 2,000 for closing costs and title insurance.

Agenda Report No. 03-0120-2.

The Hillside Improvement Project, between 17th and 21st Streets, was approved for design and right-of-way acquisition by the City Council on May 21, 2002. The project will require the acquisition of 15 tracts. One of the properties is owned by Pauline Minor. The property is located at 3126 Stadium and is improved with a 996 square foot frame house on a 7,150 square foot site. The planned improvements will require the removal of the improvements and utilization of the site.

The property was valued at \$ 20,000. The owner has agreed to accept this amount. The owner will be relocated and the site will be processed for demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$ 38,100 is requested. This includes \$ 20,000 for the acquisition, \$ 5,000 for demolition, \$ 11,100 for moving and relocation and \$ 2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budgets and Contracts be approved, and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 134 NORTH HILLSIDE. (District II)

Agenda Report No. 03-0121.

The Hillside Improvement Project, Kellogg to Central, was approved for design and right-of-way acquisition by the City Council on December 11, 2001. One of the tracts to be acquired is 134 North Hillside, owned by Connie Williams. The site contains 4,250 square feet and is improved with a 478 square foot fast food restaurant.

The property was appraised for \$ 37,000. The owners have agreed to accept this amount. The property is occupied and the business will be relocated.

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Funds have been budgeted in the 2002 Capital Improvement Program for project acquisitions. The funding source is General Obligation Bonds. A budget of \$ 51,500 is requested. This includes \$ 37,000 for the acquisition, \$ 2,500 for closing costs and title insurance and \$ 12,000 for relocation.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized.
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 3203 CHATFIELD. (District II)

Agenda Report No. 03-0122.

The Hillside Improvement Project, Kellogg to Central, was approved for design and right-of-way acquisition by the City Council on December 11, 2001. One of the tracts to be acquired is 3203 Chatfield, owned by Pamela Schaffer. The site contains 5,763 square feet and is improved with a 1.328 square foot single family residence.

The property was appraised for \$ 41,000. The owners have agreed to accept \$61,000 for the property and waive replacement housing payments. The property is occupied and the owner will be relocated.

Funds have been budgeted in the 2002 Capital Improvement Program for project acquisitions. The funding source is General Obligation Bonds. A budget of \$ 68,500 is requested. This includes \$ 61,000 for the acquisition, \$ 2,500 for closing costs and title insurance and \$ 5,000 for moving and miscellaneous expenses and closing cost reimbursements.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized.
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 120 NORTH HILLSIDE. (District II)

Agenda Report No. 03-0123.

The Hillside Improvement Project, Kellogg to Central, was approved for design and right-of-way acquisition by the City Council on December 11, 2001. One of the tracts to be acquired is a portion of 120 North Hillside, owned by Richard and Becky Lobo. The site contains 200 square feet and will require the relocation of one sign.

The property was appraised for \$ 1,800. The owners have agreed to accept this amount. The sign will be relocated by the City.

Funds have been budgeted in the 2002 Capital Improvement Program for project acquisitions. The funding source is General Obligation Bonds. A budget of \$ 5,900 is requested. This includes \$ 1,800 for the acquisition, \$ 600 for closing costs and title insurance and \$ 3,500 for sign relocation.

Motion --
-- carried

Knight moved that the budget and Contract be approved, and the necessary signatures be authorized.
Motion carried 7 to 0.

PROPERTY DISP.

SALE OF SURPLUS PROPERTY - NORTH SIDE OF KELLOGG WEST OF TYLER ROAD. (District V)

Agenda Report No. 03-0124.

An offer has been received for the City-owned tract of vacant land located on the north side of Kellogg between Byron and Tyler Road. The tract was acquired in 2000 in conjunction with the pending Kellogg/Tyler Road Interchange project. The site has been cleared and is currently vacant. Approximately the south 75 feet of the site will be used for Kellogg construction leaving about 141 feet

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for redevelopment. The subject tract will contain 93,000 square feet, 15,395 square feet of which impacted by utility and sewer easements.

The buyer intends to redevelop the tract in association with land he has assembled to the north. The buyer is offering \$7.00 per square foot for clear part of the tract and \$2.00 per square foot for the areas impacted by easements. The total offer amount is \$574,025. Acquisition appraisals valued the land at \$2.50-to-\$3.50 per square foot. This site has been marketed on a speculative basis. No other formal offers have been received. All costs of rezoning, platting, etc. will be borne by the buyer.

The City will receive cash consideration from the sale of the property at closing. Upon sale, the property will return to the tax rolls and be redeveloped.

Motion --
-- carried

Knight moved that sale and Contracts be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report 03-0125.

On January 3, 2003 the Board of Code Standards (BCSA) held a hearing on the following two (2) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

<u>Property Address</u>	<u>Council District</u>
1. 2649 North Spruce	I
2. 508 South Meridian	IV

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion --
-- carried

Knight moved that the Resolutions scheduling a hearing and placing these matters on the agenda for a Hearing before the Governing Body on March 18, 2003 at 9:30 a.m. or as soon thereafter be adopted. Motion carried 7 to 0.

RESOLUTION NO. 03-067

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: S. 1 ft. Lot 11 and N. 50 ft. Lot 12, Block 4, Ridgecrest Addition, Sedgwick County, Kansas, known as 2649 North Spruce, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 03-068

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 20 and 22, on Meridian Avenue, Maple Street Addition, Sedgwick County, Kansas, known as 508 South Meridian, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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SPECIALS

PROPOSED ASSESSMENT ROLLS.

Proposed Assessment Rolls have been prepared for twenty-one (21) paving projects and it is necessary to set a public hearing date. Informal hearing with City personnel will be held February 24, 2003 at 11:00 a.m.

Motion --

Knight moved that the hearing on the Proposed Assessment Rolls be set for 9:30 a.m. – or soon thereafter, Tuesday, March 18, 2003, and publication of the Notices be authorized. Motion carried 7 to 0.

-- carried

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ JANUARY 14, 2003)

- a) West Douglas Streetscape, Seneca to McLean Boulevard.

ORDINANCE NO.45-548

An Ordinance amending Ordinance No. 45-355 of the City of Wichita, Kansas, declaring Douglas Avenue, from Seneca to McLean Boulevard (472-83608) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 2. Yeas: Fearey, Gale, Lambke, Martz, Knight. Nays: Brewer, Pisciotte.

- b) Wrecker service storage fees.

ORDINANCE NO. 45-549

An Ordinance amending Section 3.49.130 of the Code of the City of Wichita, Kansas, pertaining to fees for emergency wrecker service, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- c) Harry Street improvement - between Oliver and Woodlawn. (District III)

ORDINANCE NO.45-550

An Ordinance declaring Harry Street, between Oliver and Woodlawn (472-83685) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- d) Harry Street improvement - between I-135 and George Washington Boulevard.
(Districts I and III)

ORDINANCE NO. 45-551

An Ordinance declaring Harry Street, between I-235 Freeway and George Washington Boulevard (472-83686) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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e) DR2000-11 – east of Meridian Street, west of the Arkansas River, north of Kellogg, and south of Central Avenue. (Districts IV and VI)

ORDINANCE NO.45-552

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (DR2000-11)

PLANNING AGENDA

Dale Miller Acting Director of Planning stated that the Planning Agenda could be considered as consensus, unless the Council desired to withhold Items.

Motion -- carried Knight moved that the Planning Agenda, except Item 38, be approved as consensus Items. Motion carried 7 to 0.

SUB2002-121

SUB2002-121 - PLAT OF LINWOOD SCHOOL ADDITION – SOUTHEAST CORNER OF HARRY AND HYDRAULIC. (District I)

Agenda Report No. 03-0126.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (12-0)

This is an unplatted site located within the City zoned “TF-3” Two-Family Residential District. The City of Wichita is indicated as holding an interest in this property’s ownership and is shown as one of the site’s platters.

City water is available to serve the site. A bond has been provided to guarantee construction of a private sewer line. A 100% Petition has been submitted for paving improvements. A Certificate of Petition has been submitted.

The plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petition will be recorded with the Register of Deeds.

Motion -- Knight moved that the document and plat be approved; the necessary signatures be authorized; and the Resolution be adopted. Motion carried 7 to 0.
-- carried

RESOLUTION NO.03-061

Resolution of findings of advisability and Resolution authorizing improving Osie Street from Hydraulic to Kansas (south of Harry, east of Hydraulic) 472-83705, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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RESOLUTION NO.03-062

Resolution of findings of advisability and Resolution authorizing improving a south bound left turn lane on Hydraulic at Osie (south of Harry, east of Hydraulic) 472-83706, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

SUB2002-94

SUB2002-94 – PLAT OF NORTHEAST WICHITA ELEVATED STORAGE TANK ADDITION – NORTH SIDE OF 53RD STREET NORTH, EAST OF ROCK ROAD. (District II)

Agenda Report No. 03-0127.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

This is an unplatted site recently annexed to the City of Wichita. A Conditional Use (CON 2002-48) for a major utility has been approved. The City of Wichita is indicated as holding an interest in this property's ownership and is shown as one of the site's plattors.

A Restrictive Covenant has been provided that prohibits the usage of on-site sewerage on the site.

The plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Restrictive Covenant will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that the Plat be approved; the necessary signatures be authorized. Motion carried 7 to 0.

(Item No. 38)

ZON2002-57

ZON2002-57 – ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED COMMERCIAL; AND CUP2002-39 – DP263 THE WOODBOROUGH COMMERCIAL COMMUNITY UNIT PLAN – NORTH AND EAST OF WOODLAWN. (District II)

Agenda Report No. 03-0128.

MAPC Recommendation: Approve, subject to revised conditions (11-1).

DAB II Recommendation: Approve, subject to staff recommended conditions (8-0).

Staff Recommendation: Approve, subject to conditions.

The applicant requests "LC" zoning on a un-platted, vacant, 7.43-acre site located east of the Woodlawn and 17th Street North intersection. The applicant requests a commercial Community Unit Plan (CUP) with four Parcels for all "LC" uses permitted by right, except those listed as prohibited – such as convenience stores and drive-through eating establishments. The CUP proposes 23% building coverage on each of the Parcels. The CUP proposes a floor area ratio of .23 for commercial uses, or .46 for office uses. The CUP proposes 3 maximum buildings on Parcels 1 and 2, and 4 maximum buildings on Parcels 3 and 4; all buildings are proposed to have a maximum height of 35 feet.

The applicant proposes two openings on Woodlawn, one to align with 17th Street, and the other to be halfway between 17th and the Hebrew Congregation Drive. This proposed option for openings comes very close to meeting the 200-foot separation standard of the Access Management Policy. The applicant proposes installing a northbound decel lane, and participating in a petition to create a left turn lane on Woodlawn, to include a central raised median on Woodlawn.

The applicant proposes no screen wall on the east property line, as it borders the KGE Substation and open space, and is not visible from residences or any future residences; this request is a waiver from the requirements of the UZC. The applicant proposes meeting the landscape buffer requirement on all boundaries, which is required by the Landscape Ordinance.

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The application area is surrounded on all sides by "SF-5" zoning. North of the site is the Hebrew Congregation Synagogue. South of the site is a KGE owned access drive, further south is a rail corridor, a fire station, and single-family residences. The rail line is proposed as a future rail banking alignment for a pedestrian/bike path. A KGE Substation is directly east of the site; further east of the site is undeveloped "SF-5" zoned property. Northeast of the site, beyond the Hebrew Congregation property, is DP-67, zoned "GO" and "MF-18". West of the site, across Woodlawn, are single-family residences, and the First Free Evangelical Church. The site has 10-foot utility easements along the north and south boundaries, a 20-foot utility easement along the east boundary, and an east - west running 60-foot wide overhead utility easement bisecting the site.

The "Wichita Land Use Guide" of the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan identifies the general location as appropriate for "Low-Density Residential" development; however, the Comprehensive Plan indicates Institutional and Office uses as appropriate directly to the north. The Commercial Locational Guidelines of the Comprehensive Plan discourage commercial sites at mid-mile locations such as this proposal; these guidelines require site design features that limit noise, lighting, and other aspects of commercial activity that may adversely impact surrounding residential land uses.

On Monday, December 2, 2002, DAB II considered the zone change and CUP request. The agent for the applicant represented the intent to provide a screen wall on the south property boundary, and to prohibit drive-through eating establishment and convenience store uses. Several neighbors asked questions, mostly concerning traffic concerns. Planning staff stated that a traffic study would be required at the platting stage to determine improvements to Woodlawn, and the phasing of those improvements. The DAB members voted 8-0 to recommend approval of the proposed zone change and CUP, subject to staff recommendations.

On December 5, 2002, the Metropolitan Area Planning Commission considered this request. The agent for the applicant changed their request from their DAB II presentation, and asked that the Unified Zoning Code CUP requirement for a screen wall on the south property line be waived. The applicant also asked that convenience stores and drive-thru eating establishments be permitted. The action of the Planning Commission was to approve, subject to platting within one year, and subject to staff recommendations with the following changes: that the code required screen wall on the south boundary shall be waived, and that convenience stores and drive-through eating establishments shall be permitted.

DAB II re-heard this request on January 9, 2003, because of changes to the requested CUP made by the applicant at the MAPC hearing. The agent for the applicant stated that their request would be consistent with the December 2nd, 2002 presentation, including a screen wall on the south boundary of the site, and excluding drive-through eating establishments and convenience stores as proposed uses. DAB II voted 8-0 to affirm the December 2, 2002 approval of the proposed zone change and CUP, without change.

For the Wichita City Council to incorporate the conditions requested by the applicant, and recommended by DAB II, the Council must have a 2/3-majority vote to override the decision by MAPC.

Council Member Pisciotte Council Member Pisciotte said he wanted assurance the screening wall on the south end of the property would be included by listing the requirement in the conditions.

Motion --

Pisciotte moved that the zone change and CUP request be approved subject to platting within one year, and subject to the conditions approved by DAB II, and the condition 5 written below:

1. The applicant shall add "convenience stores", and "drive-through food service" to the list of prohibited uses in the CUP.
2. Dedication of 20 feet of right of way on Woodlawn, one opening aligned with 17th with full movement and a decel lane, a right-in/right-out only opening centered between the full movement opening and the Hebrew Congregation opening, and a improvement to create a fifth turn lane on Woodlawn, with a raised center median on Woodlawn across from the right in/right out opening, the applicant assuming their share of all improvements on Woodlawn.

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3. As a part of plat approval, the applicant shall conduct a limited traffic study. Based on the findings of that study, the applicant shall propose a sequenced plan for the required improvements on Woodlawn. The proposed improvement plan shall be approved at the time of platting.

4. If the 17th Street intersection is determined to require signalization, the developer shall guarantee the signalization.

5. Requirement of the screening wall on the south end of the property.

-- carried

Motion carried 7 to 0.

ZON2002-67

ZON2002-67 – ZONE CHANGE FROM GENERAL OFFICE TO LIMITED COMMERCIAL, SOUTH OF 27TH STREET SOUTH, EAST SIDE OF SENECA. (District IV)

Agenda Report No. 03-0129.

MAPC Recommendation: Approve (11-0)

D.A.B. Recommendation: Approve (6-0)

Staff Recommendation: Approve

The applicant requests a zone change from "GO" General Office to "LC" Limited Commercial on a 0.8 acre platted tract located south of 27th Street South and east of Seneca. The subject property is the east 152 feet of Lot 2, Heersche's Replat Addition and is developed with a non-conforming nursery and garden center that is currently vacant. The remainder of Lot 2 is currently zoned "LC" Limited Commercial. The applicant proposes to redevelop the subject property with an ALDI grocery store. A grocery store is first permitted by right in the "NR" Neighborhood Retail zoning district; however, the applicant has requested "LC" Limited Commercial zoning to match the zoning district of the remainder of the applicant's property.

The surrounding area is characterized by mixed-use commercial, office, institutional, and residential development. The properties to the north are zoned "LC" Limited Commercial and "GO" General Office and are developed with a restaurant, a vehicle repair shop, and a massage therapy clinic. The properties to the south are zoned "LC" Limited Commercial and "GO" General Office and are developed with medical offices. West of the subject property across Seneca is a church and school on properties zoned "SF-5" Single-Family Residential. The properties to the east are zoned "SF-5" Single-Family Residential and are developed with single-family residences.

Since the abutting properties to the east have residential zoning, screening and buffer landscaping will be required along the east property line. The compatibility setback standards will require a minimum 25-foot building setback along the east property line. Since the applicant's property has frontage along an arterial street, a landscaped street yard and parking lot screening will be required along the west property line.

At the MAPC hearing on January 9, 2003, there were no speakers for or against the request. The MAPC voted 11-0 to recommend approval of the request. There were no speakers at the DAB hearing either. At the DAB hearing on January 15, 2003, the DAB voted 6-0 to recommend approval of the request.

Motion --

-- carried

Knight moved that the zone change be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. (ZON2002-67)

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ZON2002-68

ZON2002-68 – ZONE CHANGE FROM MULTI-FAMILY RESIDENTIAL TO UNIVERSITY – NORTH OF KELLOGG AND EAST OF MERIDIAN. (District IV)

Agenda Report No. 03-0130.

MAPC Recommendation: Approve. (11-0)

Staff Recommendation: Approve.

D.A.B. Recommendation: Approve (6-0)

The applicant requests “U” zoning on a platted, .42-acre site for the construction of a Friends University residence hall. The application area was developed with two single-family residences that were recently demolished. The application area is to be included in the replat of a larger site. The site is on the east side of Everett, north of Kellogg, on the Friends University Campus. All property surrounding the application area is zoned “U” and developed with Friends University uses.

The requested zone change is in conformance with the Wichita/Sedgwick County Comprehensive Plan, and is in conformance with the adopted Delano Neighborhood Revitalization Plan. The proposed zone change, from “B” to “U”, and the proposed development, would require conformance to all property development standards in the Wichita-Sedgwick County Unified Zoning Code (UZC).

At the MAPC meeting held on January 9, 2003, MAPC voted (11-0) to approve the zone change. At the DAB IV meeting held on January 15, 2003, the DAB voted (6-0) to approve the zone change also. No citizens were present to speak at either meeting.

Motion --
-- carried

Knight moved that the zone change be approved and the Ordinance be forwarded to the Council with the Plat. Motion carried 7 to 0.

ZON2002-69

ZON2002-00069 – ZONE CHANGE FROM SINGLE-FAMILY RESIDENTIAL TO LIMITED INDUSTRIAL – NORTHEAST OF THE 31ST STREET SOUTH/-35/KTA INTERCHANGE. (District III)

Agenda Report No. 03-0131.

MAPC Recommendation: Approve, subject to platting within one year and subject to Protective Overlay #120 conditions. (11-0)

Staff Recommendation: Approve, subject to platting within one year and Protective Overlay #120 conditions.

D.A.B. Recommendation: Approve, subject to platting within one year and Protective Overlay #120 conditions. (8-0)

The applicants request a zone change from “SF-5” Single-Family Residential to “LI” Limited Industrial on the approximate 3-acre site located northeast of the 31st Street South – Kansas Turnpike-IH-35 interchange. The site has frontage on 31st Street South. The site is part of approximately 44 unplatted acres owned by the City and developed as the eastern portion of Plainview Park and a Fire Department Training Facility. The applicant proposes to develop the subject property with a building for his office and the assembly of ductwork.

Developments abutting the site are the previously mentioned eastern portion of Plainview Park on the north side, a Wichita Fire Department training facility on the east side and the Kansas Turnpike – IH 35 highway (KTA) on the west side. The park and the training facility are zoned “SF-5” except for a 250-foot x 290-foot City owned site on the northwest corner of Oliver and 31st, which is zoned “LC” limited Commercial and is used by the Fire Department. The training facility occupies approximately 2/3rds of the 31st Street South frontage. Access onto the training facility is off 31st Street South. The park has baseball fields that are heavily used March – mid October, Monday – Saturday, usually 5:30 PM – 10:30 PM, with some day games April – May, 3PM – 5PM. The park also has an area reserved for model plane flying that is open at all times. Access to the park is off Oliver. The Fire Department training facility is used for recruit training, basic firefighting skills training, driver and vehicle

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certification and re-certification, aerial ladder placement, safety driving courses, confined space training, EMT re-certification, trench rescue, ect, etc. Most of the training occurs Monday – Friday, 8AM – 5PM, with some training on nights and weekends.

The area west of the KTA is zoned “SF-5” & “MF-29” Multi-Family Residential, is developed as the western half of Plainview Park and has a mix of single-family and multi-family housing around the park. The western portion of the park is connected to the eastern portion of the park by a pedestrian crossover the KTA. The Boeing Aircraft Company (and some smaller privately owned industrial businesses) has developed most of the land south of 31st Street South to ½ mile south of 47th Street South on both sides of Oliver. These properties are zoned “LI” and are a complex of manufacturing, assembly, warehouse, machine shops, tool & die, research and office. McConnell Air Force Base is also south and east of the area. Sandwiched between Oliver and McConnell and east of the Park/City property is a small area zoned “SF-5”, “TF-3” Duplex Residential, “MF-29”, “B” Multi-Family Residential and “LC”. The area has a mix of single-family and multi-family housing

Since the properties to the north and east have residential zoning, screening and buffer landscaping will be required along the north and east property line. The compatibility setback standards will be required along east & north property lines unless a Zoning Adjustment is granted by the Planning Director and Zoning Administrator to reduce or waive the compatibility setback.

At the January 8, 2003, DAB III hearing, the DAB voted (8-0) to recommend the rezoning request for approval with Protective Overlay #120 and platting within a year. The DAB added a third provision to the PO; (3) Outside storage that is typical of a contractor’s yard and as an accessory use to the applicant’s mechanical-assembly-manufacturing facility will be allowed. There were no speakers in opposition to the request at the DAB III meeting. At the January 9, 2003 public hearing, the MAPC voted (11-0) to recommend the rezoning request for approval with Protective Overlay #120 and the additional provision that DAB III had recommended in regards to outside storage. There were no speakers in opposition to the request at the hearing. There have been no written protest or calls opposing the zoning change.

The provisions of Protective Overlay #120 are:

- (1) The following uses shall not be permitted:
 - (a) Adult entertainment; microbrewery; liquor store; nightclub; tavern and drinking establishment; multi-game, casino-style gambling facility; pawnshop; tattooing and body piercing and billboards.
 - (b) Group residence, limited and general; correctional placement residence, limited and general; correctional facility; day reporting center and drug & alcohol rehabilitation center.
 - (c) Asphalt or concrete plant, limited and general; mining or quarrying; oil or gas drilling; rock crushing; solid waste incinerator; gas and fuel storage and sales; wrecking or salvage yard; recycling process center; recycling station private and public; agricultural processing and landfill.
 - (d) Vehicle and equipment sales, outdoors; car wash; vehicle repair, general; vehicle storage yard; outdoor storage and self-storage.
 - (e) Animal care limited and general and kennel hobby, boarding, breeding and training.
- (2) Compatibility setback standards shall be implemented as well as screening and landscape buffering, per the Unified Zoning Code and the Landscape Code.
- (3) Outside storage that is typical of a contractor’s yard and as an accessory use to the applicant’s mechanical-assembly-manufacturing facility will be allowed.

Motion --
-- carried

Knight moved that the zone change be approved and the Ordinance be forwarded to the Council with the Plat. Motion carried 7 to 0.

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A02-20

A02-20 – ANNEX LAND AT THE NORTHEAST CORNER OF 13TH STREET NORTH AND 135TH STREET WEST, INCLUDING THAT PORTION OF TYLER ROAD BETWEEN 29TH STREET NORTH AND 37TH STREET NORTH. (District V)

Agenda Report No. 03-0132.

The City has received a request to annex approximately 4.17 acres situated at the northeast corner of 13th Street North and 135th Street West. The site abuts the City of Wichita to the south. The property owner plans to develop the site as a church. The property owner anticipates that the site will be fully developed this year.

Additionally, the City is seeking to annex all that portion of Tyler Road located between 29th Street North and 37th Street North. This annexation is necessary in order to allow the City to construct road improvements to accommodate the school being built at 37th Street and Tyler Road.

Land Use and Zoning: The annexation area is presently in agricultural use and zoned “SF-20” Single Family Residential. Land surrounding the proposed annexation site is predominantly agricultural with a power station located south of the site. Land to the south, east, and north is zoned “SF-20” Single Family, and land west is zoned “LC” Limited Commercial. The “SF-20” Single Family zoning of the subject property will convert to “SF-5” Single Family upon annexation.

Public Services: As part of the platting requirements, the property owner shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.

Street System: The property requested for annexation has access to 13th Street North (two-lane gravel road), which serves the area as the nearest east-west road, and 135th Street West (two-lane gravel road), which serves the area as the nearest north-south road. There are plans for sub grade modification and bituminous surfacing of 13th Street North from 135th Street West to approximately ¼ mile west of 119th Street West in the Sedgwick County 2002-2006 C.I.P. In the City of Wichita 2002-2011 C.I.P, there are plans to construct urban paving on 135th Street West from 13th Street North to Central. There are currently no plans in the City of Wichita 2002-2011 C.I.P for roadway improvements along that section of Tyler Road between 29th Street North and 37th Street North.

Public Safety: Fire services to this site can be provided within a fourteen (14) to fifteen (15) minute approximate response time from City Station #16 located at 1632 North Tyler or from City Station #17 located at 10651 West Maple. However, the City Fire Department reports that a new fire station will be completed near 13th Street North and 135th Street West in 2007, which will significantly reduce response times to the proposed annexation request area. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 North Elder.

Parks: Swanson Park, a 93-acre park, is located approximately 2.5 miles east of the proposed annexation site. A bike pathway is proposed along 13th Street North in the 1996 Parks and Open Space Plan.

School District: The annexation property is located in Unified School District 266 (Maize School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with current amendments to the Comprehensive Plan.

The property proposed for annexation has not been platted. The total estimated appraised value of the property is \$490,000. However, because the applicant’s property is exempt no tax revenues will be generated.

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The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion --
-- carried

Knight moved that the annexation and first reading of the Ordinance be approved. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-20

A03-03

A03-03 – ANNEX LAND NORTH OF MAPLE STREET WEST, WEST OF 135TH STREET WEST. (District V)

Agenda Report No. 03-0133.

The City has received a request to annex 69.87 acres of land situated northwest of the intersection of 135th Street West and Maple Street West. The site abuts the City of Wichita to the south, east and north. The property owner plans to develop the site as the Shadow Woods Addition containing 168 residential units and a 6,000 square foot religious assembly facility. The property owner anticipates that the site will be fully developed in four years. Additionally, the City is annexing that portion of Maple Road adjacent to the annexation request area.

Land Use and Zoning: The annexation area is presently in agricultural use and zoned “SF-20” Single Family Residential. Land surrounding the proposed annexation site to the north and west is also in agricultural production and zoned “SF-5” Single Family Residential and “SF-20” Single Family Residential respectively. Land uses to the south and east are predominately residential in nature and zoned “SF-5” Single Family Residential. Commercial development is concentrated at the northwest corner of Maple and 135th Street and is zoned “GC” General Commercial. The “SF-20” Single Family Residential zoning of the annexation area will convert to “SF-5” Single Family Residential upon annexation.

Public Services: As part of the platting requirements, the property owner shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. There are plans for construction in 2008 of a 20 inch water main along 135th Street West from Maple to Kellogg in the City of Wichita 2002-2011 C.I.P.

Street System: The property requested for annexation has access to 135th Street West (two-lane asphalt surface road), which serves the area as the nearest north-south arterial road, and Maple Street West (two-lane asphalt surface road), which serves the area as the nearest east-west arterial road. There are plans for construction in 2008 of urban standard pavement on 135th Street West between Maple and Central in the City of Wichita 2002-2011 C.I.P. There are no plans in the City of Wichita 2002-2011 C.I.P for urban standard pavement upgrades on Maple west of 135th Street West.

Public Safety: Fire services to this site can be provided within a seven (7) to eight (8) minute approximate response time from City Station #17 located at 10651 West Maple. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 North Elder.

Parks: Meadows Park (30 acres) and West Millbrook Park (93 acres) are located approximately 1.0 mile southeast of the proposed annexation site. A bike pathway is proposed along 135th Street West and Maple Street West in the 1996 Parks and Open Space Plan.

School District: The annexation property is located in Unified School District 265 (Goddard School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with current amendments to the Comprehensive Plan.

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The current approximate appraised value of the proposed annexation area is \$11,050, with a total assessed value of \$3,315. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$104 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of development and the current mill levy. However, the property owner projects an overall appraised value of \$14,784,000 for residential use when development is completed, resulting in an assessed value of \$1,700,160. Assuming the current City levy remains about the same, this would roughly yield \$53,395 in City annual tax revenues. The appraised value of the religious assembly facility is estimated at \$750,000, but no tax revenues would be generated due to its exempt status.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion --
-- carried

Knight moved that the annexation and first reading of the Ordinance be approved. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-03

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

AIRPORT

JANITORIAL SERVICES CONTRACT – 1801 AIRPORT ROAD.

Agenda Report No. 03-0134

The lease agreement between the Wichita Airport Authority (WAA) and the Federal Aviation Administration (FAA) for the facility at 1801 Airport Road provides that maintenance services are the responsibility of the landlord. Due to the stringent and detailed nature of the requirements, it has been advantageous to contract with an outside firm to provide the custodial services. Sealed responses to a Request for Proposal were accepted by the City's Purchasing Manager on January 22, 2003. Fifteen contractors attended a pre-proposal conference and twelve proposals were submitted for this work.

A selection committee composed of three individuals reviewed the proposals. Each proposal was evaluated on the basis of qualifications, experience, available equipment, personnel, cost and references. Based on this criteria, River City Building Maintenance is recommended to provide these services.

The unit price per square foot is \$.7656, which results in an annual cost of \$33,279.10 based on the current square footage being maintained. The contract that is expiring was based on a rate of \$1.08 per square foot. The proposed agreement is for two years commencing March 1, 2003 with the option to extend for three additional one year terms, subject to the renegotiation of fees. An operating fee paid by the FAA reimburses the WAA for costs incurred related to this contract.

Motion --
-- carried

Knight moved that the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

AIRPORT

AIRPORT LIMOUSINE SERVICES AGREEMENT.

Agenda Report No. 03-0135

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In November 2000, Time Saver entered into an agreement with the Wichita Airport Authority to provide shuttle services to/from Wichita Mid-Continent Airport. This company operated with a KCC license, transporting people from outlying Kansas communities to Wichita. In April 2002, the company changed ownership and began operating on Mid-Continent Airport as an airport limousine. At that time, a new agreement with the Wichita Airport Authority was approved on a month-to-month basis to allow for this service. The company operated under the new ownership for approximately six months, at which time ownership reverted back to its original owner, Joye Walker. Ms. Walker is now interested in continuing the provision of airport limousine services, and intends to form a partnership with Christopher Holmes. Two other shuttle services and three taxicab companies now serve Mid-Continent Airport.

Currently, Ms. Walker has two vans intended for use in this program. Wichita Transit has inspected the vehicles. Services will include transportation to and from Wichita Mid-Continent Airport. In order to provide services on the airport, it will be necessary for Ms. Walker and Mr. Holmes to enter into an agreement with the Wichita Airport Authority, and to obtain approval of a Certificate of Public Convenience and Necessity.

Revenue to the WAA will be \$50 per month for the opportunity to do business on the airport.

Motion --
-- carried

Knight moved that the Agreement and the Certificate of Public Convenience and Necessity be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

AIRPORT

FAA MASTER SITE LEASE SUPPLEMENT NO. 8 – MID-CONTINENT AIRPORT LEASE NUMBER DTFA09-90-L-10464.FAA MASTER SITE LEASE SUPPLEMENT.

Agenda Report No. 03-0136

The WAA has entered into Master Site Leases with the FAA for both Mid-Continent and Jabara Airports. These leases identify locations and types of equipment installed, monitored, and maintained by the FAA.

This supplement revises the land descriptions for areas used by the FAA for the 19R Instrument Landing System (ILS), the Medium Intensity Approach Lighting System (MALSR) and the Localizer/DME and Glide Slope on Runway 19L.

There are no monetary considerations.

Motion --
-- carried

Knight moved that the Lease Agreement be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess, move to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending and potential litigation, legal advice; preliminary discussions relating to the acquisition of real property for public purposes, at 10:45 a.m., and return no earlier than 11:15 a.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:37 a.m. and returned at 11:20 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

RECESS

The City Council recessed at 11:22 a.m. and reconvened at 12:00 p.m.

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(The Council proceeded to take up the time-certain Water and Sewer Revenue Bond Item. Action is shown in Agenda order.)

ADJOURNMENT

The City Council meeting adjourned at 12:07 a.m.

Pat Graves CMC
City Clerk